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Title : Is it Waajib for the Muqtadie to recite Surah Faatihah?

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Foreword

The commentary of Hadhrat Moulana Qaasim Nanotwi's book, 'Towtheequl Kalaam fil Insaati Khalfal Imaam' (Is it Waajib for the Muqtadie to recite Surah Faatihah?) is one of my first works. It was first printed in 1397 A.H, corresponding to the year 1977, and was repeatedly printed thereafter. As a result of its continuous printing, its printing plate broke and I then decided to have it typed on computer. A few words were edited during proof reading and in certain places additional footnotes added, which will Insha-Allaah prove to be beneficial.

I have placed in the beginning of this book my own treatise, "Fiqah Hanafi Aqrab ilal Nusoos Hai" (Hanafi Fiqh corresponds most to narration), which is an invaluable work. It is a rebuttal of the author of the Ahle-Hadeeth, Moulana Anwaar Khursheed Sahib, which was printed by Madaniyah Deoband publishers. This treatise will assist one in understanding vital issues such as that Hanafi Fiqh is the closest to narration, who are the Ahle-Hadeeth (Ghair Muqallideen)? Who are the Ahlus-Sunnah wal Jama'ah? Who are the true Ahle-Hadeeth? Why is Taqleed-Shakhsi (following of an individual Imaam) necessary? Are the Ghair Muqallideen truly Ghair Muqallid or, in fact, also Muqallid?

We ask Allaah Ta'ala to make this short treatise just as beneficial as the actual book.

Peace and salutations upon the Noble Nabi and all praise belongs to Allaah.

Saeed Ahmed Palanpoori
Ustaad Darul Uloom Deoband
21 Rabi-ul Awwal 1420 A.H

Hujjatul Islaam Hadhrat Moulana Muhammad Qaasim Nanotwi ↦

One of the most Esteemed Personalities in the History of Islaam

Name and Lineage

His name was Muhammad Qaasim. His historic name was Khursheed Hussein. His father's name was Asad Ali and his grandfather's name was Sheikh Ghulaam Shah. His entire lineage is as follows;

Muhammad Qaasim, who was the son of Asad Ali, who was the son of Ghulaam Shah, who was the son of Muhammad Bakhsh, who was the son of Alaa'udeen, who was the son of Muhammad Fatah, who was the son of Muhammad Mufti, who was the son of Abdus Samee'a, who was the son of Moulana Muhammad Haashim.

His lineage links up to Hadhrat Qaasim bin Muhammad bin Abi Bakr ...

Birth and Demise

He was born in 1248 A.H (1832) in the town of Nanotah. He passed away on Thursday 4 Jamaadal Oowla, 1297 A.H (1879) after Zuhr Salaah. *To Allaah do we belong and unto Him shall we return.*

Hometown

His hometown was Nanotah, which is a small town. It is situated twelve miles east of Deoband, fifteen miles south of Saharanpur, nine miles west of Gangoh and seven miles north of Delhi.

His ancestral grandfather, Moulana Muhammad Haashim Sahib, was very close to the Mughal emperor Shah Jahan. Moulana Muhammad Haashim settled in Nanotah and, in doing so, transformed it into an Islaamic town. It was in this town that his progeny flourished and it was from this very town that the radiant star, Moulana Qaasim Nanotwi , shone forth.

Childhood

During his childhood he saw a dream that he was sitting in the lap of Allaah Ta'ala. His grandfather interpreted it to mean that Allaah Ta'ala will grant him abundant knowledge and he will become a well-known personality. His intelligence, prowess, courage, aspirations, quick thinking, broad mindedness and diligence stood out from his childhood days and he was first in his class at all times. He had an affinity for poetry from an early age and would write his stories and games in rhyming form.

Education

His primary education began in the Madressa of Nanotah. He then learnt Arabic under Moulana Muhtaab Ali Sahib ↦ in Deoband. Impressed by Hadhrat Moulana's wisdom and deep insight, Moulana Muhtaab Ali gave him the title of "Ilm ki Bakri" (the goat of knowledge), which is a reflection of his constant pursuit of knowledge. **He then studied under Moulana Muhammad Nawaaz Sahib in Saharanpur for a while. Thereafter, he went to Delhi in the company of Moulana Mamlook Ali Sahib ↦ in 1259 A.H, where he began studying 'Kaafiyah' (an intricate book on Arabic grammar). There he completed his studies in five years. He studied Hadeeth under Hadhrat Moulana Shah Abdul**

Ghani Sahib Mujadidi[1] **.** After arriving in Delhi, he began excelling at such a pace that none could keep up with him; he could read intricate books of philosophy just as a Hafiz can recite a portion of the Qur'aan.

While residing in Delhi, he pledged allegiance to Hadhrat Moulana Haaji Imdaadullaah Thanwi Makki and began his efforts of self-purification.

Personality and Character

Allaah Ta'ala had made Hadhrat Moulana an awe-inspiring personality because of which many people lacked the courage to address him even though he was a light-hearted person with exceptional character. He preferred to be alone and would prefer remaining silent from an early age. This is another reason why people would think twice before engaging in a conversation with him. He was extremely generous and big-hearted; a person who took pleasure in entertaining guests and hospitality. His wife was even more so such that she was his inspiration to be generous. **He would say, "My generosity has been caused by Ahmed's mother (i.e. his wife)."**

Dislike for Status

His condition for many years was such that if any person addressed him as "Molwi" he would not reply but if they addressed him by his name he would be pleased. He disliked being praised and was uncomfortable with it. He was

[1] Hadhrat Moulana Shah Abdul Ghani Sahib Mujadidi, was the son of Abu Saeed, who was the son of Azeezul Qadr, who was the son of Safiyul Qadr, who was the son of Muhammad Isa, who was the son of Saifudeen, who was the son of Muhammad Ma'soom, who was the son of Ahmed (Mujadid Alfith Thaani). He is the author of 'Inhaajul Haajah fi Halli Sunan Ibn Maajah'. He was born in Delhi (1235 A.H) and passed away in Madinah (1296 A.H).

informal with everyone and kept a relationship more of friendship than as a teacher with his students. He disliked being referred to as a Moulana and would say, "This knowledge has spoilt everything and were it not for it then I would have remained hidden and no one would have known of my existence."

Glad Tidings

During his days as a student, he saw a dream that he was standing on the Ka'abah and thousands of rivers were flowing from it. His teacher, Hadhrat Moulana Mamlook Ali ↦ interpreted this to mean, **"Knowledge will spread from you abundantly."**

On one occasion, his mother complained to Hadhrat Moulana Haaji Imdaadullaah ↦ about his unemployment and lack of income. Haaji Imdaadullaah ↦ laughed and said, "This person is about to become such that he will have a hundred attendants. He will attain such fame that his name will be known across the world. You complain of poverty when Allaah Ta'ala is going to grant him a thousand fold more and he will be better off than those who are employed."

His mother lived to see this prediction come true.

Hadhrat Haaji Imdaadullaah ↦ also said about him,

"People of his calibre used to be found in the early years of Islaam, now for many years we will not see another."

Life History

After completing his studies, he took on the responsibility of editing at the Ahmadi publications company in Delhi. During this time, Hadhrat Moulana

Ahmed Ali Sahib Saharanpuri (who added the footnotes to 'Saheeh Bukhaari'), tasked Hadhrat Moulana with adding the foot notes to the last five or six chapters of 'Saheeh Bukhaari'. He fulfilled it with perfection; each footnote was taken from reliable books and nothing was of his own opinion.

Later, Jihaad was declared against the British. Due to difficulties faced at that time it was unsuccessful. As soon as the British had gained complete control of the country, they issued a warrant for his arrest. He remained hidden for a few days and then departed for Hajj. By the time he returned from Hajj an official pardon had been announced.

Thereafter, he began acting as editor for Munshi Mumtaaz Ali Sahib in Meert, while teaching at the same time. It was during this time that the foundation for Darul Uloom Deoband was laid. After a little while, he went to Deoband and saw to every aspect of the Madressa. **He taught all the books with no reservation and would render such a commentary that none had ever heard nor seen.** He expounded amazing facts in each subject; reconciling differences of opinion and explaining each law in detail. The effects of his teachings linger on to this day.

He performed his first Hajj in 1277 A.H and during this journey, in the month of Ramadaan, he memorised the entire Qur'aan and recited it in Taraweeh Salaah. He performed his second Hajj in 1285 A.H and the third in 1294 A.H. When returning from this Hajj his illness began, this proved to be fatal.

Children

He had two sons; Hadhrat Moulana Muhammad Ahmad Sahib (former principal of Darul Uloom Deoband) and Muhammad Haashim Sahib. He also had three daughters.

Students

He had numerous students, the most famous are;

1. Sheikhul Hind, Hadhrat Moulana Mahmood Hasan Sahib Deobandi ↦. He studied most of the books in Darul Uloom Deoband and studied Hadeeth under Hadhrat Moulana Qaasim Nanotwi ↦. The first graduation ceremony of the Darul Uloom was held for him.

2. Hadhrat Moulana Fakhrul Hasan Sahib Ganghohi ↦. He added the footnotes to 'Abu Dawood'. His personality was exactly the same as Hadhrat Moulana Ashraf Ali Thanwi ↦ and he was a very capable scholar. He also acquired his knowledge from Darul Uloom Deoband.

3. Hadhrat Moulana Ahmed Hasan Sahib Amrohawi ↦. Hadhrat Moulana Qaasim Nanotwi ↦ had great affection for him and he also loved Hadhrat Moulana dearly. He was very intelligent and a proficient scholar.[1]

Aside from these three illustrious personalities, Hadhrat Moulana ↦ had many students. The sacrifices and services of his other disciples and students have not been recorded even though he treated them all equally and feared self-praise[2].

[1]They are known as 'Hasanain Thalaathah'- the three Hasans.
[2]This was all taken from 'Sawaanikh Umari' by Hadhrat Moulana Muhammad Yaqoob Sahib Nanotwi, who was among the first teachers of Darul Uloom Deoband.

Accomplishments

The accomplishments for which he is most famous for are three:

1. Establishing Madressas including Darul Uloom Deoband,
2. Calling for Jihaad against the British,
3. And services to Islaamic knowledge.

We will now highlight his achievements in each of these fields:

Establishing Madressas

In 1274 A.H (1857), when the British had taken control of the entire country and the Mughal dynasty came to an end, Islaam and Muslims became a target and it was the Muslims who felt the claws of the British piercing into them the most. This is because the entire aspect of conqueror and conquered, usurper and usurped, victory and defeat, was between the Muslims and the British. Those Ulama who were rendering services to Deen during the rule of the Mughal dynasty did so while receiving a wage or assistance from the royal court and lived in relative ease as a result. A few Ulama also rendered services in their own private capacity by teaching, tutoring and lecturing in their own localities. However, after the British took over, there no longer remained any wages or financial assistance from the government. Poverty and impoverishment created an entirely new challenge and the traces of the glory of Islaam began to dwindle for the Ulama became occupied with their own livelihood. What was to happen to the future of Islaam? This was a vital question. Allaah Ta'ala says in the Noble Qur'aan:

وَالَّذِينَ جَاهَدُوا فِينَا لَنَهْدِيَنَّهُمْ سُبُلَنَا وَإِنَّ اللَّهَ لَمَعَ الْمُحْسِنِينَ۔

"We shall definitely show our avenues (of guidance and insight leading to Jannah) to those who exert (labour) themselves in Our course (for Our Deen)."
(Surah Ankaboot: 69)

Allaah Ta'ala inspired all the saints at the same time with the idea that the only way of protecting Deen and Islaam is to establish Madressas using public funds. This meant that those Ulama who were rendering services to Deen in their own private capacity will now have to join together and work collectively. One of the benefits of this would be that the Madressa would see to their basic needs and as a result they would be able to serve Deen with no worry of having to earn a livelihood. Another benefit of this would be that if any Aalim, out of necessity or for any other reason, were to abandon his Deeni responsibilities, another would take his place. **The garden would continue being watered even though the gardener changes.**

Public funds are general and not from a particular person; work would continue relying upon the funds of the general public. They would not depend upon the wealth or donations of the government, thewealthy or those in authority; this meant that the Madressa would suffer no harm if a select few refused to assist the Madressa, as the loss suffered on account of them would be borne by another.

In addition, the general public who assists the Madressa will not try to influence the Madressa in any way. If funds are taken from a particular individual then the life and death of the Madressa becomes dependent upon that very person. Another harm of this is that the true reliance in Allaah will not be gained as opposed to when a person has no one else to rely upon except Allaah. The third most harmful aspect of relying upon the funds of a specific individual is that he will have the ability to influence Madressa policy and what is taught.

On account of this inspiration, Ulama began opening Madressas across India. However, there still remained a few who did not understand this inspiration or the true reality of it; they continued their efforts of Deen on their own and, just as a roof cannot stand without a pillar, their services did not last very long and they soon became preoccupied with earning a living. Like this, their services to Deen came to an end. Others who did not understand the meaning of this inspiration built Madressas but disliked asking from the general public and ultimately remained dependent upon specific individuals or the government. As a result, these Madressas had to close due to lack of funds or become government institutions.

It is a great favour of Allaah that not only did these Ulama understand the meaning of this inspiration but they also understood its importance and true reality. It is without a doubt that Hadhrat Moulana Qaasim Nanotwi ↦ understood its importance and true reality more than all. He, in fact, wrote it out for us, which is preserved to this day:

"The principles on which this Madressa (Darul Uloom Deoband), and others like it, will operate."

This makes it clear that these principles are not only stipulated for Darul Uloom Deoband but for every Madressa relying on public funds. Let us examine numbers 6, 7, and 8 of these principles:

6. As long as this Madressa will not have any fixed income then, Insha-Allaah, it will be run with attention turned towards Allaah. If it will attain a fixed income, such as rental, trade or government grants then the attention will be turned away from Allaah and reliance upon Allaah will fade. In this way, Divine assistance will stop, infighting will begin and we will find ourselves becoming dependent.

7. Assistance from the government and influential people is harmful.

8. There is more blessing in the funds attained from the general public, who do not seek any favour in return. In essence, it is the general public whose intentions are nobler.

These principles should be read over and over again and pondered over deeply then one will see how true this inspiration was. As a result of this inspiration the Ulama began to establish Madressas based upon these principles and now, almost a century later, we are forced to admit that if they had not done so then Islaam would no longer exist in India.

Hadhrat Moulana Qaasim Nanotwi ↦ used his influence to establish the building of various Madressas and in his short life managed to build four:

1. Darul Uloom Deoband
2. Madressa Qaasimia Shaahi Muradabad
3. Madressa Manba'ul Uloom Galaawati
4. Madressa Jaamie Masjid Amrohah

Hadhrat Moulana founded all of these Madressas but it is the good fortune of Darul Uloom Deoband that Hadhrat Moulana became its supervisor and maintained it, as Deoband was his second hometown. All the illustrious personalities from Deoband such as Hadhrat Moulana Haaji Aabid Hussein Sahib ↦ (first principal of Darul Uloom Deoband), Hadhrat Moulana Rafee'udeen Sahib ↦ (second principal of Darul Uloom Deoband), etc all had a close relationship with Hadhrat Moulana Qaasim Nanotwi ↦. After 1857 Deoband became his true hometown, which had already been predestined, and he took up permanent residence in Deoband

and saw to all the needs and requirements of Darul Uloom Deoband. The other Madressas founded by Hadhrat Moulana received the same favour. As a result, they could not reach the same level as Darul Uloom Deoband. Today this Madressa has grown into a huge firm tree providing fruit to the entire world.

Calling for Jihaad

In the latter half of the nineteenth century a time of difficulty set in for all Muslims in India as it became the battleground of the British. The Mughal Empire came to an end and the Muslims were now faced with many threats, both internally and externally. Fortunately, Allaah Ta'ala sent such individuals who fought these threats and succeeded in keeping the pillars of Deen standing. Hadhrat Moulana Qaasim Nanotwi is the leader of this group of illustrious individuals. Just as he began the establishment of Madressas, he began fighting all external and internal threats. **When the British decided to take control of India by force of the sword, Hadhrat Moulana fought them back at Shaamli with the sword.** When the British began attacking all religions in India, specifically the Deen of Islaam, the British began calling upon the scholars of these religions trained by them to refute Islaam, it was Hadhrat Moulana who combated them, thus earning the gratitude of not only the Muslims but the Hindus as well. In the Fair of Chandapur (in the district of Shah Jahaanpur) the Hindus sang his praises. As the threats posed by the British affected all Indians, they acknowledged Hadhrat Moulana's intelligence, prowess, and ability to debate, and would flock to gather around him from afar.

The British then changed their game plan and tried to attack the Muslims from the back by preparing a small group of Hindus to oppose the Muslims and Islaam. Hadhrat Moulana fought back this threat head on as well.

The British then adopted a new plan; establishing schools that appeared to teach Islaam but actuallyenforced British teaching. This was a cunning plan, a well-placed web, but Hadhrat Moulana saw its true nature and saved the Muslims from its snares.

The British then thought of another plan and created a small group from among the Muslims to oppose the majority[1]. Hadhrat Moulana thwarted their plans in this as well. In essence, Hadhrat Moulana fought whatever plot the British could devise, setting the standard for all future Ulama that it is compulsory upon them to fight against all forms of mischief and threats to Islaam.

Services to Islaamic Knowledge

With the arrival of western education in India, Hadhrat Moulana saw the change in the mind-set of the people; they were no longer satisfied with narration alone and they wished to know the wisdom and secret behind each law. This is why Hadhrat Moulana began substantiating each law of Deen and his books comprisedof more logical reasoning than of narration. This change in the mindset of the people was also felt by Hadhrat Moulana Shah Waliyullah Muhaddith Dehlwi ↦ (1114 A.H-1174 A.H), which is why he wrote the famous book 'Hujjatulaahil Baalighah', in which he presented the wisdoms behind each aspect of Deen. After Hadhrat Shah Waliyullah ↦, it was Hadhrat Moulana Qaasim Nanotwi ↦

[1]This refers to the Fitnah of the Barelwis or Radhaa Khaanis. The British sent Moulana Fadhul Haqq and their other puppets to stand against Hadhrat Moulana Shah Ismail Shaheed ↦and after the establishment of Darul Uloom Deoband sent Moulana Ahmed Radhaa Khan Barelwi to stand against Hadhrat Moulana Nanotwi ↦, Hadhrat Moulana Ganghohi ↦, Hadhrat Moulana Saharanpuri ↦and Hadhrat Moulana Thanwi ↦.

who rendered services in this direction. The services of Hadhrat Moulana Nanotwi ↦ were different from that of Hadhrat Shah Waliyullah ↦ in three aspects:

1. Hadhrat Shah Waliyullah ↦ did not separately debate matters pertaining to belief whereas Hadhrat Nanotwi ↦ discussed it as a separate subject and explained its law and principles. This is one of the greatest achievements of his life.
2. Hadhrat Shah Waliyullaah ↦ would not explain the wisdom behind each act specifically; he explained the wisdom behind the general laws of Deen or specific acts mentioned in Hadeeth. Contrastingly, Hadhrat Nanotwi ↦ explained the wisdom behind the most trivial of acts. He would also highlight the wisdom behind what the Fuqahaa describe as "Khilaaf Qiyaas" (acts contrary to reasoning) proving them to be in accordance with reason. It is unfortunate that more could not be done in this direction; nonetheless, what has been done serves as a guide and proof for us. The senior scholars who came later took this effort further: 'Al-Masaalihul Aqliyah lil Ahkaamin Naqliyah" of Hadhrat Moulana Nanotwi ↦ as well as of other scholars is worth reading in this regard.
3. The substantiations of Hadhrat Shah Waliyullah ↦ were based more upon reasoning and logic whereas Hadhrat Nanotwi ↦ was able to make even the most intricate and purely logical reasoning perceivable and understandable. This was unique to his literary works, which cannot be found anywhere else.

It can be said that the knowledge of Hadhrat Nanotwi and Hadhrat Shah Waliyullaah ↦ was inspired rather than derived from books. Allaah Ta'ala had granted both of them a great share of inspired knowledge.

Additionally, Hadhrat Nanotwi ↦ wrote thirty-six books to guide this Ummat which can be divided into three categories; easy, difficult and intricate.

Easy Books

1. **'Qiblah Numaa':** This Urdu book explains that the Ka'abah is not an object of worship but the direction one faces during worship. Only the first quarter is easy.

2. **'Hadiyatush Shia':** This Urdu book debates matter of differences with the Shia. This is the easiest of all his books.

3. **'Tuhfah Lahmiyah':** This Urdu book explains that the consumption of meat is the natural inclination of man. Hadhrat Moulana and one of his close friends jointly wrote this.
4. **'Ajoobah Arba'een':** This is in Urdu and in two volumes. It provides answers to forty questions posed by the Shias. Hadhrat Moulana and Moulana Abdullaah Anbeetawi ↦ jointly wrote the first volume. Hadhrat Moulana wrote the second volume alone.
5. **'Fuyoodh Qaasimiyah':** This is in Urdu and Faarsi (Persian). This book discusses various topics. The discussion on Jumu'ah in villages was translated and published separately under the title "Laws of Jumu'ah", which is why we have not mentioned it as a separate book.
6. **'Waaqi'ah Mehlah Khudaa Shanaasi':** This is in Urdu. It is a discussion of the truth of Deen, which took place in his first debate in 1293 A.H., at Shah Jahaanpur. Munshi Muhammad Haashim, owner of Haashimi publications, and Moulana Muhammad Hayaat, owner of Dhiyaa'ie publications, printed and published this jointly. The entire debate of Hadhrat Nanotwi ↦ has been related in it.

7. **‘Mubahathah Shah Jahaanpur’:** This is in Urdu and it also discusses the truth of Deen and the refutation of Christianity. This is the second debate that took place in Shah Jahaanpur in 1295 A.H. It was compiled by Hadhrat Moulana Fakhrul Hasan Sahib Ganghohi ↦ and Hadhrat Sheikhul Hind ↦.

8. **‘Lataaif Qasimiyah’:** This is in Faarsi. It discusses various topics and is a compilation of nine treatises, the last of which is regarding Jumu'ah in villages. 'Al-Haqqus Sareeh fi Ithbaatit Taraweeh', which comprises of the treatise of Hadhrat Nanotwi ↦ and Hadhrat Ganghohi ↦, is also from this book. This is why 'Al-Haqqus Sareeh' has not been mentioned separately.
9. **‘Tasfiyatul Aqaaid’:** This is in Urdu and debates the principles and beliefs of Deen. It is a reply to the letter of Sir Sayyid.
10. **‘Intisaarul Islaam’:** This is in Urdu. It is a reply to ten objections raised against Islaam's teachings. The Majlis Ma'aariful Qur’aan edition surpasses all previous editions.

11. **‘Hujjatul Islaam’:** This is in Urdu. It discusses matters pertaining to Deen and belief and is a must-read for every Muslim. The Majlis Ma'aariful Qur’aan edition surpasses all previous editions.
12. **‘Qasaaid Qaasimi’:** This is in Urdu, Faarsi (Persian) and Arabic. It is a collection of poetic renditions on various topics.
13. **‘Makaateeb Qaasimi’:** This is in Faarsi (Persian) and it is a compilation of letters written by Hadhrat Nanotwi ↦.

14. **‘Al-Ajoobatul Kaamilah fi Aswilatil Khamilah’:** This is in Urdu and it is a reply to five baseless objections by a Shia.

15. **‘Haashiyah Bukhaari’:** This is in Arabic. The final five chapters of sub-notes in Bukhaari were written by Hadhrat Nanotwi ↦. The sub-notes of the rest of 'Bukhaari' were written by Hadhrat Moulana Ahmed Ali Saharanpuri ↦. It is generally found in all copies of 'Bukhaari'.

All of these books were easy even though the subject matter is extremely important. The methods of elucidation were not just simple but were also extremely easy to understand and any person is able to derive benefit from it.

Difficult Books

1. **‘Masabeehut Taraweeh’:** This is in Faarsi (Persian) and the subject matter is apparent from the title. In addition, other amazing and intricate facts have also been discussed relating to the topic. This book was translated by Hadhrat Moulana Ishtiyaaq Ahmed Deobandi ↦ and published under the name 'Anwaarul Masaabeeh'. However, this book has not been analysed as it should be and work still remains to be done on it.
2. **‘Taqreer Dil Pazeer’:** This is in Urdu and debates many issues. It was not completed and comprises of only what was written.
3. **‘Baraheen Qasimiyah’:** This is in Urdu and debates several issues pertaining to Deen and belief. Hadhrat Nanotwi ↦ and his student, Hadhrat Moulana Abdul Ali ↦, jointly wrote it.
4. **‘Tahdheerun Naas min Inkaari Athar Ibn Abbaas’:** This is in Urdu. Hadhrat Abdullaah bin Abbaas ‥ states that there are seven earths and on each earth Ambiyaa were sent. This book is a detailed discussion of this report. In addition, a detailed discussion on the finality of Nabuwwat was also included. This book became extremely popular and accepted during Hadhrat Moulana's

lifetime. Many individuals raised objections to this book and Hadhrat Moulana himself replied their objections.

5. **‘Jawaabaat Mahthooraat Ashar’:** This is in Urdu. This comprises of ten objections raised by Hadhrat Moulana Abdul Azeez Sahib ↦ on the book 'Tahdheerun Naas min Inkaari Athar Ibn Abbaas' and the replies given to it by Hadhrat Moulana. These objections were not raised in refutation but rather in search of knowledge – Hadhrat Moulana Abdul Azeez Sahib ↦ later shared the opinion of Hadhrat Nanotwi ↦ after hearing his replies. In addition, Moulana Abdul Qaadir Badaayuni ↦ also objected to this book and published a refutation of it under the name 'Faseehudeen Badaayuni'. Hadhrat Nanotwi ↦ replied to this book and the original. A copy of it can be found in the library of Moulana Abdul Ghanie Sahib. Another copy of it can be found in the personal library of Hadhrat Moulana Muhammad Tayyib Sahib ↦.

Another person, who most probably resided in Rampur, also raised objection to 'Tahdheerun Naas'. Hadhrat Nanotwi ↦ replied to his objections as well and a written copy of this can be found in Palawaddah. The student of Hadhrat Moulana, Moulana Ahmed Hasan Sahib Amrohawi ↦, also wrote a reply to his objections. A written copy of it can also be found in Palawaddah. It was this very book that Ahmed Radhaa Khan Barelwi misquoted and misinterpreted in his propaganda against Hadhrat Nanotwi ↦. As the saying goes:

‘Whoever tries to blow out the flame ignited by Allaah
Will burn his beard but the flame will not be extinguished’

6. **‘Asraar Quraani’:** This is in Faarsi and is a substantiated replied to all questions relating to the Qur’aan. The commentary of 'Mu'awadhatain' (Surah Falaq and Surah Naas) is also included in this book.

7. **‘Intibaahul Mu'mineen’:** This is in Faarsi. This is a commentary of a Hadeeth reported in 'Mishkaat Shareef', under the chapter of the virtues of the Asharah Mubasharah in the third section, from Hadhrat Ali ؓ regarding the Khulafaa of Rasulullaah □.
8. **‘Jamaal Qaasimi’:** This is in Urdu and discusses the aspects of Simaa Mowtah, Wahdatul Wujood, and Hayaat of Nabi. This is a compilation of two books.
9. **‘Totheequl Kalaam fil Insaati Khalfal Imaam’:**In Urdu. Also called 'Ad-Daleelul Muhkam fil Insaat Khalfal Imaam'. It discusses the reason why one following the Imaam should not recite Qiraa'ah behind the Imaam. Both names refer to the same book but in 'Towtheeq' there are a few additional lines.
10. **‘Makaateeb Qasimul Uloom’:** This is four volumes comprising of eleven letters of which ten are Hadhrat Nanotwi's; a discussion on Fadak, a commentary on Hadeeth Ummaa, a discussion on what has been slaughtered in the name of others besides Allaah, the Ism'at (infallibility) of the Ambiyaa, a solution to Hadeeth that seem to contradict each other regarding a Makaatab, a reply to a letter by Ahle Hadeeth Aalim Moulana Muhammad Hussein Batalawi, a reply to those who deny Nabuwwat and the miracles of the Ambiyaa, the ruling regarding taking of interest in India and the income received from a land left in trust, the martyrdom of Hadhrat Hussein, a discussion on the issue of Imaamat, a reply to the substantiation of Thoosi and a commentary of the two Ahaadeeth. The eleventh is a commentary on the Hadeeth "He who does not recognise the Imaam of his time".

All these are in Faarsi. The letters one to seven have been translated by Hadhrat Moulana Qaarie Tayyib Sahib ↦ and have been published in the twelfth volume of 'Al-Qaasim'. It

has been edited and simplified by Professor Anwaarul Hasan Sherkoti, now staying in Pakistan, and published under the title of 'Anwaarun Nujoom'. Unfortunately, I have not been able to read this as yet[1].

11. **'Al-Hathul Maqsoom min Qasimul Uloom':** This is in Arabic. It is a discussion on 'Juz'ul Ladhie Laa Yatajazzi' andresearch into poetic rendition and music. It comprises of two letters of Hadhrat Raheemullah Bijonwari Sahib ↦, student of Hadhrat Nanotwi ↦, written in eloquent Arabic. It concludes with mention of two miraculous feats of Hadhrat Nanotwi ↦.

These are the difficult books of Hadhrat Nanotwi ↦. How true is the statement of Hadhrat Moulana Qaarie Tayyib Sahib ↦ regarding them:

"The wisdom of these books are like a huge and fertile country, which contain all the necessities of life, having no shortage of provisions or treasures. It has all the required modes of transport but the road to this country is hidden and very difficult to travel. There are no signs to make traversing this road easier, nor any indications through which one can perceive the fertility of the land and take benefit from it. Apart from a select few no one else has knowledge of this country or of the road to it. Without a doubt, the wisdom and knowledge of Hadhrat Moulana Qaasim Nanotwi ↦ is like this country. Because of the lack of signs, hints, necessary directions, footnotes, tables of contents and translations, even the general Ulama cannot benefit from it leave alone the

[1]This was at the time the book was written but now I have managed to obtain and read it. The author has made a splendid effort but this book has not been solved as yet and a difficult book cannot be understood by its translation; much still remains to be done in this regard.

common masses." (The introduction of 'Anwaarul Masaabeeh' page 15 and 16)

Intricate Books

1. **‘Qiblah Numaa’:**The Ka'abah is not an object of worship but rather the direction faced during Salaah. **The final three quarters of this book is extremely difficult.** Hadhrat Moulana Ishtiyaaq Ahmed Sahib ↦ has rendered great service to it but it still cannot be understood appropriately. Hadhrat Qaarie Tayyib Sahib ↦ has also written a detailed commentary on it but sadly it has been lost.
2. **‘Makaateeb Qaasimul Uloom’:**The letter, which contains the commentary of “Hadeeth Ummaa”, is extremely difficult.

3. **‘Aab Hayaat’:**This is in Urdu and proves that the Ambiyaa are alive in their graves. **This is understood to be the most difficult of all Hadhrat Moulana's books.** Even though Hadhrat Moulana Yaqoob Nanotwi Sahib ↦ had a portion of it removed as he was of the opinion that none would be able to understand it (these extracted portions of 'Aab Hayaat' are in Pilaadah), there still remains a dire need for a commentary to be written on it. *Perhaps Allaah Ta'ala will grant me the ability to fulfil this service.*

This is a total of thirty-six books, wherein the wisdom of Hadhrat Moulana Qaasim Nanotwi ↦ sparkles like pearls. Hadhrat Moulana Qaarie Tayyib Sahib writes in praise of this wisdom:

"The introduction to his books comes naturally such that the most important points glare in the face. Every discussion is substantiated and well-laid out such that it appeals to the

mind and its intricacies are easily understood. In addition, Hadhrat Moulana's step-by-step method of explanation of an aspect removes all doubts and misgivings in a clear and manifest manner such that thousands of other similar aspects are resolved even if it is related to a different chapter. All these aspects are solved by his systematic approach. In fact, many doors of knowledge and understanding are opened to the heart by it. It opens the avenues to understanding new laws. A person is forced to accept that this aspect of Shari'ah is so logical and within reason that it is as if that was the only natural conclusion. In the words of Hadhrat Moulana Muhammad Yaqoob Sahib ↦ (first principal of Darul Uloom Deoband),

‘Hadhrat Nanotwi ↦ had a philosophical mind which is why such deep concepts came naturally to him. As a result, when discussing various laws of Shari'ah he would do so from a philosophical point of view resulting in not only that one aspect being resolved but thousand others like it and in so doing the wisdom of philosophical view became apparent.’

Nevertheless, bringing various laws of Shari'ah under one logical principle and extracting intricate laws from this principle or gathering various aspects and laws of Shari'ah and extracting one principle that governs them all was unique to the knowledge of Hadhrat Moulana."
('Hikmat Qaasimi' page 20-22)

What is even more astonishing is that, generally, logic and reasoning relates to the derivation of laws and not Hadeeth. It can be said that this law is logical or within reason but it is very difficult to say the same regarding Hadeeth. However, according to Hadhrat Moulana Qaasim Nanotwi ↦, even the narrations in Hadeeth were not beyond reason and logic. His deep insight saw the logic and reason within narration just as he saw the logic and reason within the various laws of Deen.

For example, according to Hadhrat Moulana, the Ka'abah being situated where it is today, being the first House of Allaah, the building of Masjid Aqsa forty years after the Ka'abah and even the distance between the Ka'abah and Masjid Aqsa (which is approximately two hundred and fifty or three hundred miles) all fall within logical reasoning and are not mere historic facts or coincidences. The details of this can all be read in his book 'Qiblah Numaa'.

('Hikmat Qaasimi' pages 22 and 23)

الحمد لله و كفى و سلام على عباده الذين اصطفى, اما بعد

'Hanafi Fiqh corresponds most to narration'

The manner in which Hanafi Fiqh is close to narration, no other Madhab (school of thought) is; the great scholar and researcher Hadhrat Moulana Mujadid Alfith Thaani ↦ writes in 'Mabda'oo wa Ma'aad', page 39:

"Allaah Ta'ala has opened this reality to me that in differences of aspects of belief the correct view is that of the Hanafi (i.e. Maturidi) and the correct view in differences of Fiqh is that of the Hanafi School and there is doubt in very few laws (as to which is the correct view)."

The pride of all scholars, Hadhrat Moulana Shah Waliyullah Muhaddith Dehlwi ↦ writes in 'Fuyoodhul Haramain':

عرفنى رسول الله (صلى الله عليه و سلم) ان فى المذهب الحنفى طريقة انيقة
, هى اوفق الطرق بالسنة المعروفة, التى جمعت و نقحت فى زمان البخارى رحمه الله

"I was informed through inspiration by Rasulullaah that the Fiqh of the Hanafi Madhab (school of thought) has an

excellent method which surpasses the methods of others and is more in accordance with the Ahaadeeth collected and compiled during the era of Imaam Bukhaari ↦.”

The gist of what these two great pioneers in knowledge have said is that all the laws of Hanafi Fiqh are based upon deep insight and reasoning in accordance with both Qur’aan and Hadeeth. This is only possible if it is accepted that Imaam Abu Hanifah ↦ was a compendium of Hadeeth with full knowledge of its sciences.

The great Muhaddith Hadhrat Abdullaah bin Mubaarak ↦ would say to his students:

"Hold fast to the Hadeeth of Rasulullaah and narrations of the Sahabah P but one is in need of Abu Hanifah ↦ to understand their meaning as he knows the meaning of Ahaadeeth." (Manaakib Kurdari)

When do the Fuqahaa resort to Qiyaas?

The Hanafi scholars, just like the scholars of other schools, resort to Qiyaas (logical deliberation) when no narration is present. This practice is perfectly in accordance with the desires of Rasulullaah . It is reported in a Hadeeth that when Rasulullaah sent Hadhrat Muaadh bin Jabal as a governor to Yemen, he asked him, "On what will you pass verdict when faced with a dispute?" Hadhrat Muaadh replied, "I will pass verdict based upon the Qur’aan." Rasulullaah then asked, "If you do not find it in the Qur’aan, what will you do?" Hadhrat Muaadh replied, "I will pass verdict based upon the Sunnat of Rasulullaah ." Rasulullaah asked, "And if you do not find it in the Sunnat?" Hadhrat Muaadh replied,

اجتهد رايي و لا الوا!

"I will use my discretion and will not fall short."

What he meant is that he will deliberate over the ruling and ponder over it deeply using all his abilities to arrive at the correct verdict. Upon hearing this reply, Rasulullaah patted the chest of Hadhrat Muaadh and congratulated him saying,

الحمد لله الذى وفق رسولَ رسولِ الله لما يرضى رسوله

"All praise belongs to Allaah who has inspired the messenger of Rasulullaah with that which pleases His Rasul."
(Musnad Ahmed, v 5, p 242)

We learn two things from this Hadeeth:

1. When the ruling cannot be found in the Qur'aan or Hadeeth then the ruling should be sought using deliberation, which is called 'Qiyaas'.
2. The usage of Qiyaas in such an instance is in conformity with the desire of Rasulullaah and he was pleased with this.

Why the necessity for Taqleed and when is it necessary?

These are undeniable facts:

1. The ruling of every act is not clearly mentioned in Shar'ie narration (Qur'aan and Hadeeth). Some rulings are determined through deliberation. Allaah Ta'ala says in the Noble Qur'aan:

"(We sent these messengers) With (very) clear evidence (to prove Tauheed and their Nabuwwat) and with (divine) books. We have revealed the Reminder (the Qur'aan) to you (O Muhammad) so that you may explain (easily and properly)

to the people what (injunctions of the Shari'ah) has been revealed to them, and so that they may reflect (think about it carefully)." (Surah Nahl: 44)

This Verse clearly informs us that even after the explanation of Rasulullaah there is a need to reflect and ponder over what has been said. These are those derived rulings, which are dependent upon the reflection and deliberation of the Mujtahid.

2. Every common Muslim is not acquainted with the ruling of every aspect of Shari'ah, Allaah Ta'ala says:

"So ask the people of knowledge if you do not know." (Surah Nahl: 43)

It has been narrated in a Hadeeth:

انما شفاء العيّ السؤال

"The cure for helplessness is asking."

These narrations make it clear that the people of knowledge only know certain laws and it is necessary for the common Muslims to learn it from them.

3. Every ordinary person cannot derive laws from the Qur’aan and Hadeeth, which is why it necessary for them to seek advice from those who possess knowledge.

Thus a Muslim who is unable to derive laws directly from the Qur’aan and Hadeeth will always be dependent upon a Mujtahid.

The Misunderstanding of the Ghair Muqallids

The Ghair Muqallids fool the common people and spread a great deal of propaganda: “abandoning the Qur’aan and Hadeeth to follow (make Taqleed of) an Imaam falls under ‘taking others as deities besides Allaah’, “it is Haraam (forbidden) to make Taqleed of one who is not Ma'soom (infallible)” and “Qiyaas is an act of Shaytaan and not a legitimate Shar'ie proof”. In reality, Qiyaas is a necessary action and desired by the Qur’aan and Hadeeth. Shaytaani Qiyaas is that which is not derived from any narration but merely a figment of one's imagination. **The clause of Infallibility (being Ma'soom) is not a precondition according to anyone besides the Shias**; the verses above clearly state: "Ask the people of knowledge" without any additional clause of them being Ma'soom (infallible). **In addition, the existence of a person who is Ma'soom (infallible) in every era is impossible.** Furthermore, what has been stated by the **Ghair Muqallids** about the Imaams is the same logic used by the **Ahle-Qur’aan** regarding the Hadeeth and Rasulullaah □– that abandoning the Qur’aan to follow the word of Rasulullaah □ is tantamount to "Taking others as deities besides Allaah." How can this be true? This assertion of the Ahle-Qur’aan sect is incorrect because whatever Rasulullaah □ said, he did so based on Wahy (revelation) from Allaah and not of his own accord. Clearly, this is not taking Rasulullaah □ as Rabb besides Allaah. Similarly, the assertion of the Ghair Muqallids is also incorrect because the Aimah-Mujtahideen derive whatever they say from Qur’aan and Hadeeth and not from themselves. **Therefore, how is accepting their opinion taking others as deities besides Allaah?**

Ahle-Qur'aan and Ahle-Hadeeth

What are the principles of Shari'ah? What principles are used to derive the laws of Shari'ah? This can be phrased differently as what is Deen based on? Or what are the proofs of Shari'ah? In this regard there are different sects:

Ahle-Qur'aan: They say that the proof of Shari'ah is only the Qur'aan as it is an elucidation for everything, thus there is no need for anything after the Qur'aan. **They do not deny the Hadeeth entirely; rather, they regard it as a historic account and not a Shar'ie proof, equating it to the words and statements of pious men.** They say that one can use it as a source of advice but not to derive the laws of Islaam.

Even though they refer to themselves as "Ahle-Qur'aan" (Followers of the Qur'aan), this name does not distinguish them from the rest of the Muslims, as all Muslims are followers of the Qur'aan. Instead they are 'Munkireen-Hadeeth" (Deniers of Hadeeth) and this is a more befitting name for them.

Ahle-Hadeeth: They say that the Hadeeth of Rasulullaah is also a Shar'ie proof in addition to the Qur'aan but **besides theses two there are no other valid Shar'ie proofs.** According to them, Ijmaa (consensus) – even if it is of the Sahabah – Qiyaas, and the reports of the Sahabah and Taabi'een are not valid.

Even though they refer to themselves as "Ahle-Hadeeth" (Followers of Hadeeth), this name does not distinguish them from the rest of the Muslims as all Muslims follow the Hadeeth (with the exception of the Ahle-Qur'aan). Hence why should they be referred to as "Ahle-Hadeeth"?

In the early years these people were referred to as ‘Thaahiri’, ‘Ahle-Thaahir’, or ‘Thawahir’, i.e. ‘those who only rely upon the apparent meaning of Hadeeth and do not ponder or deliberate over its meaning’. **To an extent, this name is befitting for them. However, after the demise of Hadhrat Shah Muhammad Ishaaq Sahib Muhaddith Dehlwi ↦, a few of his students distanced themselves from his teachings and named themselves "Ahle-Hadeeth". Later, during the British occupation, they had this name officially registered for them with the British.**

Hadhrat Shah Waliyullaah Muhaddith Dehlwi ↦ described this group in 'Hujjatulaahil Baalighah' in the following words:

والظاهری: من لا يقول بالقياس و لا باثار الصحابة و التابعين
, كداودو ابن حزم

Thaahiri: *These are those people who neither believes in Qiyaas nor the reports of the Sahabah and Taabi'een such as Dawood Thaahiri and Ibn Hazam.*

The famous Ghair Muqallid Aalim, Nawaab Siddeeq Hasan Khan Sahib, does not accept the existence and legitimacy of Ijmaa as a Shar'ie proof. He writes in 'Ifaadatush Shuyookh', page 121:

"There is difference of opinion as to whether Ijmaa (consensus) is possible or not, whether knowledge of the Ijmaa is possible or not and whether narration of it can reach us or not. The truth of the matter is that it is not possible. Even if we accept that it is, there still remains the argument whether it is a Shar'ie proof or not. The majority (Ahlus Sunnah wal Jama'ah) believe it is a valid proof and evidence of it being a valid proof according to the majority has been reported but no logical proof for it exists. The truth is that it is not a valid proof.

Even if we accept that it is a valid proof and that it is possible to learn of it then the most that can be said about an act on which there is Ijmaa is that it is true but it does not mean that it is Waajib (compulsory) to follow."

In the following extract Nawaab Sahib has denied the legitimacy of Ijmaa but at the same time has said two strange things:

1. The Ahlus-Sunnah only rely upon narration (evidence) in accepting Ijmaa as a valid proof and do not do so because of logic. He refers to the Verse of Surah Nisaa:

"Follows a path other than that of the Mu'mineen."
(Surah Nisaa: 115)

This proves the legitimacy of Ijmaa as a valid proof. **According to Nawaab Sahib, there is no logical proof that Ijmaa is a valid Shar'ie proof and its acceptance is based entirely on this Verse;** according to him this is insufficient and logical proof is also required. This sort of mentality is that of the Mu'tazilah, who believe logic to be the deciding factor in the acceptance of rulings. Nawaab Sahib is of the Thawaahir who discards logical reason entirely, so what need does he have for logical proof?

More shockingly, when he wished to deny the legitimacy of Ijmaa he gave logic such precedence that the Verse of the Qur'aan became insufficient for proving the legitimacy of Ijmaa as a valid Shar'ie proof!

2. Nawaab Sahib admits that the act on which there is Ijmaa (consensus) can be true but spins the tale that "It does mean that it is Waajib (compulsory) to follow (what is true)". So when it is not Waajib to follow what is true then is the opposite now Waajib, i.e. to follow what is false?

This was an example close to us otherwise in the commentary to the famous literary work on the principles of Fiqh, 'Husaami', entitled 'Naami' it is clearly stated that the Thawaahir do not accept Ijmaa as a valid proof. Sheikh Abu Mansoor Abdul Qaadir Baghdadi (429 A.H) has also written in his book, 'Usoolud Deen', that the Thawaahir do not accept Ijmaa as a valid proof.

Who are the Ahlus Sunnah wal Jama'ah?

Apart from these two sects the majority of the Ummat state that the proofs of Shari'ah are three:Qur'aan, Sunnat and Ijmaa (consensus). Ijmaa refers to the Ijmaa (consensus) of the greatest group of individuals, first consisting of the Sahabah and the Taabi'een after them.

Sheikhul Islaam Ibn Taimiyyah ↦ (728 A.H) write in 'Minhaajus Sunnah':

فان اهل السنة تتضمن النص و الجماعة تتضمن الاجماع فاهل السنة
و الجماعة هم المتبعون للنص و الاجماع

"The word 'Ahlus-Sunnah' necessitates the following of Nas (Qur'aan and Hadeeth) and the word 'Jama'ah' necessitates the following of Ijmaa (consensus). Thus, the 'Ahlus Sunnah wal Jama'ah' are those who follow Nas (Qur'aan and Hadeeth) and Ijmaa (consensus)."
('Minhajus Sunnah' volume 3 page 272)

The name for this majority group of the Ummat has been derived from Hadeeth. It is reported in 'Tirmidhi':

"By Allaah! The same will come to my Ummat as had come to the Bani Israa'eel, step for step, such that if anyone amongst them had committed Zinaa (fornication) with his mother then someone from my Ummat will do the same. The Bani Israa'eel was split into seventy-two sects and my Ummat

will be split into seventy-three sects; all of which will be thrown into Jahannam except one." The Sahabah enquired who that one group will be and Rasulullaah replied,

ما انا عليه و اصحابى

"Those who are upon my path and the path of my Sahabah."

The path of Rasulullaah is called Sunnat and the collective name for all the Sahabah is Jama'ah. This Hadeeth has been reported with the words ‘Jama'ah’ in 'Musnad Ahmed', 'Abu Dawood' and in 'Mishkaat' under the chapter of holding fast onto the Qur’aan and Sunnat:

وهى الجماعة

"(Those who will be successful) They are the Jama'ah."

The name for the majority of the Ummat, "Ahlus Sunnah wal Jama'ah', was taken from this Hadeeth. **The point of dispute between the Ahlus- Sunnah and the Ahle-Hadeeth is not whether Hadeeth is a valid proof or not(that is the difference with the Ahle-Qur’aan) but the point of dispute is whether Ijmaa, the Ijmaa of the Sahabah in particular, is a valid proof or not.** The Ahle-Hadeeth say that it is not a valid proof which is why they are only Ahlus-Sunnah and since the majority except the Ijmaa of the Sahabah as valid proof they are in essencethe true "Ahlus Sunnah wal Jama'ah".

What is the status of Qiyaas?

As far as Qiyaas is concerned, it is not of the same level as the other three Shar'ie proofs and therefore not a real point of dispute. 'Minaarul Anwaar' is a classic work on the principles of Fiqh. 'Nurul Anwaar' is a commentary on it wherein Qiyaas

has been mentioned separately from the other three principles. It is written:

اعلم ان اصول الشرع ثلاثة: الكتاب و السنة و اجماع الامة و الاصل الرابع القياس

"Know that the principles of Shari'ah are three; Qur'aan, Sunnat and Ijmaa of the Ummat, and the fourth principle is Qiyaas."

The author raises these questions in his own commentary: why are the principles of Fiqh said to be only three if Qiyaas is also a principle? And if it is not a principle then why did he say that the fourth principle is Qiyaas? He replies to this himself:

"Qiyaas is only a proof in relation to us as we apply ruling to the derived law using Qiyaas. In actual fact Qiyaas is not a principle as personal opinion has no basis in Shari'ah. It is only Allaah Ta'ala who stipulates the laws and none can equal Allaah Ta'ala in this. In reality Qiyaas is a branch of the first three principles of Qur'aan, Sunnat and Ijmaa – as a Mujtahid will make Qiyaas on a law already established in Qur'aan, Sunnat or Ijmaa."

This can be said in different words as well: Qiyaas is not a separate principle but rather a tool through which laws are derived from the other three principles. Essentially, it isa law of Fiqh but since it seems as if Qiyaas was the source from which the ruling was derived, it was mentioned as a fourth principle.

Who are the true Ahle-Hadeeth?

During the era of the Sahabah there were no differences in matters of Aqaaid (belief) but there were differences in matters of Fiqh. However, these differences were not based on

different methodologies as no Madhaahib (schools of thought) had yet come into existence. People simply made Taqleed during those years by those who did not have knowledge asking those who possessed knowledge and practicing upon their verdicts. There was no practice of following one Madhab (school of thought) as they had not yet come into existence.

The same goes for the era of the Senior Taabi'een as their era coincided with that of the Sahabah. **Later, towards the latter half of the era of the Taabi'een, things began to change and various schools of thought came into existence and flourished during the era of the Taba-Taabi'een.**

They can be classified into two groups: the Fuqahaa Muhadditheen and the Muhadditheen Fuqahaa. What this means is that one group occupied themselves with deriving the laws of Shari'ah whilst simultaneously being experts in the field of Hadeeth. This is because without knowledge of Hadeeth, deriving rulings of Shari'ah is impossible. Reporting Hadeeth was not their pre-occupation but they would report Hadeeth in times of necessity. The second group occupied themselves with reporting and collecting Hadeeth whilst being Mujtahids at the same time. They were able to derive laws of Shari'ah but would only do so in times of necessity.

The first group (those who concentrated more on deriving laws of Shari'ah) were called "Ashaabur-Raai" and the second group (who concentrated more on narrating Hadeeth) were called "Ahle-Hadeeth" or "Ashaab-Hadeeth". Allaamah Ibn Qutaibah Deenwari ↦ in 'Al-Ma'aarif' has given a lengthy list of the names of scholars belonging to each group. He listed the names of Imaam Abu Hanifah ↦ and Imaam Maalik ↦ in the first group and the names of Imaam Shaafie ↦ and Imaam Ahmed ↦ in the second. The points being that the Ahle-Hadeeth or Ashaab-Hadeeth were actually these personalities. Citing the differences between the Ahle-

Hadeeth and Ashaabur-Raai, Hadhrat Shah Waliyullaah Muhaddith Dehlwi ↦ has written in 'Hujjatulaahil Baalighah':

"The famous personalities of this group (Ahle-Hadeeth) were Abdur Rahmaan bin Mahdi, Yahya bin Sa'eed Al-Qathaan, Yazeed bin Haroon, Abdur Razaaq, Abu Bakr bin Abi Shaibah, Musaddad, Hannaad, Imaam Ahmed bin Hanbal, Ishaaq bin Rahuway, Fadhal bin Dakeen, Ali bin Al-Madeeni and other Ulama from the group of Muhadditheen of the same era. This is the group who are the best example for all other groups of Muhadditheen.

The group of Ahle-Hadeeth then developed into various Madhaahib (schools of thought) of which three gained most fame, namely: the Maaliki, Shaafie, and Hanbali schools of thought. The Ashaabur-Raai remained the same with no serious difference amongst them."

Essentially, when various Madhaahib (schools of thought) came into existence, the Ummat began following particular schools, which was necessary for the protection of Deen. A group of the Ummat followed the Ahle-Hadeeth and the majority of the Ummat followed the Ashaabur-Raai. Later in the fourth century when differences between the groups increased and the group of the Muhadditheen splintered into numerous schools of thought, the senior Ulama of the Ummat designated four Madhaahib (schools of thought) to follow, which continues to this day.

What is the reality of Taqleed-Shakhsi?

One should bear in mind that the word "Shakhs" in Taqleed-Shakhsi does not refer to a particular person but a mode of thought. In other words, following a particular Madhab (school of thought) is called Taqleed-Shakhsi and it is not following the view of a particular person, as this would be contrary to the reality. Those who have knowledge of the

four Madhaahib (schools of thought) know full well that every opinion of the Imaam of a particular Madhab (school of thought) is not acted upon. In addition, time continued to pass and thousands of Mujtahideen have passed who faced new aspects in their lifetime and the verdict that they passed (based upon the principles of that school) were incorporated into the laws of that Madhab (school of thought).

Are the Ahle-Hadeeth Ghair Muqallid?

Without Taqleed, the hands of time cannot move; a child cannot learn to walk without holding his father's hand. Every generation follows the footsteps and practices of the previous generation. The matters of Deen are more important than the matters of this world, how is success possible without compliance? Furthermore, mere compliance and conformity is not sufficient; it is necessary to follow that person who will lead you to the desired destination. How can a person who is himself lost guide others to their destination? In Surah Baqarah, Verse 166-167, there is mention of followers and their guides where we learn that even in Kufr and Shirk there is a system of Taqleed or conformity to those who passed.

As far as that sect who refers tothemselves as Ahle-Hadeeth (known to others as "Ghair Muqallid") is concerned, they are stauncher Muqallids (adherents to a Madhab) than the followers of the four Madhaahib[1]. Those who follow the four Madhaahib respect the views of each school of thought and even adopt the view of the other Madhab (school of thought) in times of necessity. **However this sect, who call themselves Ahle-Hadeeth, call all others deviated and follow only their own school.** Nawaab Siddeeq Hasan Khan Sahib writes in 'Tarjumaan Wahabiyah', page 52:

[1]The four Madhaahib refers to the four schools of thought: Hanafi, Maaliki, Shaafie and Hanbali.

"According to us, all Muslims are divided into two groups: one is the pure Ahlus Sunnah wal Jama'ah, also known as the Ahle-Hadeeth, and the others are those follow a particular Madhab. They are four groups: Hanafi, Shaafie, Maaliki, and Hanbali."(On the authority of 'Thaaifah Mansoorah' page 11)

The famous Ghair Muqallid Aalim, Abush Shakoor Abdul Qaadir Sahib (from Hisaar), writes:

"**The true Madhab is the Ahle-Hadeeth and all the others are false and destined for Jahannam.** Therefore, it is incumbent upon the Ahle-Hadeeth to save themselves from all these other deviant sects." ('Siyaahtul Jinaan bi Munakinati Ahlil Imaan' page 4)

He also writes,

"The Ulama know full-well but I say this for the sake of the common masses: the present day Muqallids (Adherents to a Madhab) are astray because of ten reasons and are separate from the group who will attain salvation and **with whom marriage is not permissible.**" (Page 5)

While mentioning these ten reasons he says:

1. The first reason is that the present day Hanafis practice Taqleed-Shakhsi which is completely Haraam and impermissible. (page 5)

He further says:

"Similarly, Moulana Muhammad Junagadhi Sahib has written in his works that the Hanafis are a deviant sect and not part of those who will attain salvation." (Page 11)

Finally, he surpasses all limits and says:

"The true sect is the Ahle-Hadeeth and all others are in Jahannam, thus marriage should only take place between members of the group that will attain salvation and not with the innovators so that intermingling does not occur." (Page 23)

Ponder for a moment as to how he removed all followers of the Hanafi Madhab from the group who will attain salvation and not only called them innovators but the dwellers of Jahannam (Allaah forbid). He then declares that marriage with them is impermissible. Can there be any greater prejudice than this? (Thaaifah Mansoorah, page 15 by Hadhrat Moulana Sarfaraaz Khan Safdar)

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Introduction

الحمد لله و كفى و سلام على عباده الذين اصطفى, اما بعد

Whether a Muqtadie (one performing Salaah behind the Imaam) should recite Surah Faatihah behind the Imaam or not and whether there is any difference between the ruling for silent and audible Salaah is such an aspect which every Muslim faces five times daily. It is therefore imperative that every Muslim understands it perfectly. Hadhrat Moulana Qaasim Nanotwi ↦ has discussed this in a substantiated manner.

It should be borne in mind that three aspects relating to Salaah have a close connection to each other and people generally do not differentiate between them, which results in them confusing their proofs with each other. I will now mention these three aspects briefly,

1. What is the connection that Qiraa'ah (recitation of the Qur’aan) has with Salaah?

All Mujtahideen are in agreement that Qiraa'ah is a fundamental aspect of Salaah. Hadhrat Abu Hurairah .. narrates that he heard a person announce on behalf of Rasulullaah in Madinah:

لا صلوة الا بقران و لو بفاتحةالكتاب فما زاد

"Salaah is only valid with the recitation of the Qur’aan even if it be Surah Faatihah or more." ('Abu Dawood' page 117)

Hadhrat Nanotwi ↦ has concluded that the reality of Salaah is the recitation of the Qur’aan. The Noble Qur’aan also supports this conclusion.

"Recite that much of the Qur'aan which is easy for you."
(Surah Muzzammil: 20)

This Verse was revealed with regards to Tahajjud Salaah, that matters regarding it have been made easier and that that amount should be recited which is easier to recite. Recitation of the Qur'aan was specifically mentioned because it is the core facet of Salaah.

2. What relation does Surah Faatihah have with Salaah?

According to Imaam Maalik ↦, Imaam Shaafie ↦ and Imaam Ahmed ↦ it is Fardh (obligatory) in Salaah. Just as the other aspect of Salaah are Fardh, so too is it Fardh to recite Surah Faatihah and there is no possibility of the Salaah being valid without the recitation of Surah Faatihah. Their proof is the Hadeeth of Hadhrat Ubaadah ؓ (reported in 'Bukhaari' and 'Muslim'):

لاصلوة لمن لم يقرأ بفاتحة الكتاب

"There is no Salaah for the one who has not recited Surah Faatihah."

According to Imaam Abu Hanifah ↦, Surah Faatihah is Waajib (compulsory) in Salaah and not Fardh (obligatory). The same rule applies to Surah Faatihah that applies to the Waajibaat (compulsory acts) in Salaah; if it is intentionally omitted then the Salaah has to be repeated and if it is omitted in error then making Sajdah Sahwah can compensate for it.

Imaam Abu Hanifah's proof is the very Hadeeth cited above of Hadhrat Ubaadah ؓ. **The negation of Salaah in this Hadeeth, according to the three Aimah, is negation of its validity but according to Imaam Abu Hanifah ↦ it is**

negation of perfection. The opinion of Imaam Abu Hanifah ↦ is further corroborated by the Hadeeth of Hadhrat Abu Hurairah ﵁:

من صلى صلوة لم يقرأ فيها بام القران فهى خداج! فهى خداج! فهى خداج!

"Whoever performs Salaah and does not recite Surah Faatihah in it then his Salaah is imperfect, his Salaah is imperfect, his Salaah is imperfect."
('Muslim' volume 1 page 169)

The term "خدجت الناقة" is used when a camel miscarries during birth. The word "خداج" means imperfect, defective and inadequate. Imaam Nawawi ↦ has also given this meaning under the commentary of this Hadeeth is 'Saheeh Muslim'. In fact,the same meaning has been given to the word "خداج" in the commentary of other Ahaadeeth in 'Saheeh Muslim' as well.

Thus we learn from this Hadeeth that the Salaah is imperfect and not invalid or unaccepted. Nevertheless this was proof for Surah Faatihah being Waajib in Salaah and not Fardh. The Hadeeth of Hadhrat Ubaadah ﵁ is negating perfection from Salaah and not negating its validity. In light of the principles of Fiqh, the opinion of Imaam Abu Hanifah ↦ seems most credible as the Hadeeth of Hadhrat Ubaadah ﵁ **is termed as 'Khabar Wahid' (a Hadeeth reported by one individual) which at most can prove something to be Waajib and not Fardh.**

3. On whom is the recitation of Surah Faatihah incumbent?

There are three types of people performing Salaah: the Imaam, the Muqtadie (follower) and the Munfarid (one performing Salaah alone). According to the majority it is Fardh upon the Imaam and Munfarid to recite Surah Faatihah

whereas according to Imaam Abu Hanifah ↦ it Waajib. **There is a great difference of opinion regarding whether it is Fardh or Waajib for the Muqtadie to recite it. As this is the topic of discussion in this book, we will elaborate on it further.**

Audible Salaah and the Muqtadie

According to Imaam Maalik ↦ it is not permissible for the Muqtadie (one following the Imaam) to recite Surah Faatihah in an audible Salaah whether the Muqtadie is able to hear the recitation of the Imaam or not.

Imaam Ahmed bin Hanbal ↦ is of the opinion that if the Muqtadie is able to hear the recitation of the Imaam then it is not permissible for him to recite Surah Faatihah and if he is at such a distance from the Imaam that he is unable to hear the recitation of the Imaam then it will be permissible for him to recite Surah Faatihah. Similiarly, he can recite it during the pauses of the Imaam during recitation.

Imaam Abu Hanifah ↦ is of the opinion that it is not permissible for the Muqtadie to recite Surah Faatihah behind the Imaam whether the Muqtadie can hear the recitation of the Imaam or not. In fact, it is Makruh Tahreemi.

According to Imaam Shaafie ↦'s old verdict, it is not Fardh for the Muqtadie to recite Surah Faatihah behind the Imaam, however,when he was residing in Egypt two years before his demise, his last verdict was that it is Fardh upon the Muqtadie to recite Surah Faatihah. According to the Muhaqiqeen (research scholars) it has not been proven that Imaam Shaafie ↦ said that it is Waajib in audible Salaah. It is only proven that he said it is Waajib in silent Salaah. Scholars

of the Shaafie Madhab say that it is Waajib for the Muqtadie to recite Surah Faatihah in audible Salaah.[1]

Silent Salaah and the Muqtadie

Imaam Maalik ↦ and Imaam Ahmed ↦ are of the opinion that it is Mustahab (preferable) for the Muqtadie to recite Surah Faatihah.

Imaam Shaafie ↦ has two verdicts, the final being that it is Fardh.

Imaam Abu Hanifah ↦, Imaam Abu Yusuf ↦ and Imaam Muhammad ↦ are of the opinion that it is Makruh Tahreemi for the Muqtadie to recite Surah Faatihah behind the Imaam. The author of Hidaayah has reported that Imaam Muhammad ↦ has said that it is better for the Muqtadie to recite Surah Faatihah but Muhaqiq Ibn Humaam ↦ has refuted this report as what Imaam Muhammad ↦ has written in 'Kitaabul Aathaar' and 'Muwatta Imaam Muhammad' contradict this[2].

[1]In the same manner that Imaam Shaafie ↦has said in 'Kitaabul Umm' (volume 1 page 90) that the hands should be lifted in three places in Salaah but they lift their hands in four places.

[2]For further details on the opinions in this regard refer to 'Faydhul Baarie' volume 2 page 71 and 'Bidaayatul Mujtahid' volume 1 page 154

The summary is as follows:

"In audible Salaah, it is only Imaam Shaafie ↦ who says that it is Fardh for the Muqtadie to recite Surah Faatihah. In silent Salaah, only Imaam Shaafie ↦ says that it is Fardh. No other Imaam says that it is Fardh. Thus the three Imaams share one opinion and the one Imaam differs with the three."

With regards to this third aspect (on whom recitation of Surah Faatihah is incumbent), the Qur'aan says:

وَإِذَا قُرِئَ الْقُرْا نُ فَاسْتَمِعُوا لَهُ وَأَنْصِتُوا لَعَلَّكُمْ تُرْحَمُونَ۔

"When the Qur'aan is recited, then listen attentively to it (stop talking) and remain silent." (Surah A'raaf: 204)

This Verse decides both matters; if the Imaam is reciting audibly then the Muqtadie should listen to his recitation and if the Imaam recites silently then he should also remain silent.

The Ahaadeeth reported in this regard are of two types: those which inform us that the Muqtadie can recite Surah Faatihah behind the Imaam, and those which inform us that there is no need for the Muqtadie to recite it and should remain silent.

Narrations of Permissibility

Hadhrat Ubaadah bin Saamit narrates that Rasulullaah once performed Fajr Salaah and recitation became difficult for him. After the Salaah, Rasulullaah turned to the Sahabah and asked, "It seems that you people recite behind the Imaam?" the Sahabah replied that they did and Rasulullaah said:

فلا تفعلوا الا بام القران فانه لا صلوة لمن لم يقرأ بها

"Do not do that except for Surah Faatihah as there is no Salaah for the one who does not recite it."
('Tirmidhi' volume 1 page 41)

This Hadeeth proves the permissibility of reciting Surah Faatihah for the Muqtadie and not it being Waajib. A simile would be if a teacher were to tell his students, “No one is allowed to sit here except Farooq" then this would imply that it is only permissible for Farooq to sit there and not that it is compulsory for him. In terms of Fiqhi principles it means:**"An exception to a negatory clause implies permissibility and not incumbency."**

Those who claim that it is Waajib to recite Surah Faatihah substantiate their claim from the other Hadeeth of Hadhrat Ubaadah bin Saamit ↔, reported in 'Bukhaari' and 'Muslim', but their substantiation is incorrect as it is actually a proof for the second aspect (the relation Surah Faatihah has with Salaah) and not the third (on whom the recitation of Surah Faatihah is incumbent).[1]

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[1]Hadhrat Ubaadah bin Saamit ↔ has two Hadeeth: the first is

لا صلوة لمن لم يقرأ بفاتحة الكتاب

"There is no Salaah for the one who has not recited Surah Faatihah" This Hadeeth is reported in both 'Bukhaari' and 'Muslim' and is Saheeh. It is also reported by many other Muhadditheen with these words. **However it is proof for the relation Surah Faatihah has with Salaah and not whether the Muqtadie should recite it.** The second Hadeeth of Hadhrat Ubaadah bin Saamit ↔ is as follows,

قال صلى رسول الله ﷺ الصبح فثقلت عليه القراءة فلما انصرف قال انى اراكم تقرءون و راء امامكم قال قلنا يا رسول الله اى والله قال لا تفعلوا الا بام القران فانه لا صلوة لمن لم يقرأ بها قال الترمذى حديث عبادة حسن و روى هذا الحديث الزهرى عن محمود بن الربيع عن عبادة بن الصامت عن النبى ﷺ قال لا صلوة لمن لم يقرأ بفاتحة الكتاب و هذا اصح

Rasulullaah ﷺ once performed Fajr Salaah and recitation became difficult for him. After the Salaah, Rasulullaah ﷺ turned to the Sahabah and asked,

Narrations of Impermissibility

1. The following Hadeeth of Rasulullaah has been narrated by five Sahabah:

من كان له امام فقراءة الامام له قراءة

"Whoever performs Salaah behind the Imaam, the recitation of the Imaam is recitation for him."[1]

"It seems that you people recite behind the Imaam?" The Sahabah replied that they did and Rasulullaah said, "Do not do that except for Surah Faatihah as there is no Salaah for the one who does not recite it."

Imaam Tirmidhi ↦says that this Hadeeth is Hasan and it has been narrated by Zuhrie from Mahmood bin Rabee'a from Hadhrat Ubaadah bin Saamit ‥ that Rasulullaah said, "There is no Salaah for the one who has not recited Surah Faatihah" and that this is more authentic.
Firstly, we learn from this that this Hadeeth is not the most authentic. Secondly, we learn that it only proves the permissibility of the recitation of Surah Faatihah as the words "Do not do that" is negation and generally negation indicates impermissibility unless there is proof indicating otherwise. Then, "except for Surah Faatihah" is an exemption from it and an exemption excludes the item from the applied ruling but does not apply anything itself; thus, when it is excluded from impermissibility it remains permissible. The Hadeeth, "...as there is no Salaah for the one who does not recite it" is the reasoning for its permissibility not proof for its incumbency otherwise the words of Rasulullaah would be contradictory. ('Badhlul Majhood' volume 2 page 56)
Furthermore, this permissibility was in the early years of Islaam while many other acts were still regarded permissible in Salaah and then later forbidden. A detailed discussion on this will follow later in the book but the fact is that the last part mentioned is not part of this Hadeeth and is in actual fact the general Hadeeth of Hadhrat Ubaadah bin Saamit ‥ which was added to it by one of the narrators. The statement of Imaam Tirmidhi, "This is more authentic" indicates that it is separate from this and it being separate is most authentic.
[1]For a detailed reference of this Hadeeth please refer to 'Nasbur Raayah, volume 2 page 6-12

Surah Faatihah is also a part of recitation. Therefore, just as the other Surahs recited by the Imaam suffices for the Muqtadie, so will his recitation of Surah Faatihah suffice for the Muqtadie.

2. The following has been narrated by Hadhrat Abu Moosa Ash'ari ؓ and Hadhrat Abu Hurairah ؓ:

اذا قرأ فانصتوا

"When the Qur'aan is recited, remain silent."[1]

The first Hadeeth proves that it is not necessary for the Muqtadie to recite Surah Faatihah and the second Hadeeth proves that the Muqtadie is prohibited from reciting anything behind the Imaam.

The same is proven from Hadeeth as has been proven from the Verse of Qur'aan quoted earlier that the Muqtadies should listen to the recitation of the Imaam and remain silent. After discussing the opinions of the various Madhaahib and the necessary explanations of their proofs, we will now give a summary of the book under review.

Summary

Hadhrat Moulana Qaasim Nanotwi ↦ explained eight things before beginning the discussion on this topic:

1. The definition of "Waasithah fil Urooth" and the difference it has with "Waasithah fith Thuboot bil Ma'anath Thaani"

[1]The narration of Hadhrat Abu Moosa Ash'ari ؓ was reported by Imaam Muslim in his 'Saheeh Muslim' and he stated that the narration of Hadhrat Abu Hurairah ؓ is Saheeh. Imaam Ahmed also stated that both of these narrations are Saheeh.

2. The word which refers to a quality refers to the object having the quality in itself.

3. One thing may have various descriptive names and the laws relating to them vary.

4. Things associated to an object will be included with it but their laws will differ.

5. The Ambiyaa can err in matters pertaining to Ijtihaad.

6. The length of Salaah is one Raqaat, i.e. each Raqaat is a Salaah.

7. The Salaah of the Imaam and Muqtadie is one, i.e. the Salaah read in congregation is collectively one and the Imaam in reality is the person responsible for the Salaah and the Muqtadie is responsible for the Salaah through him. In other words, for the Muqtadie to be responsible for Salaah the Imaam is "Waasithah fil Uroodh".

8. The reality of Salaah is the recitation of the Qur'aan.

These eight points decide the matter on their own that when the Imaam is "Waasithah fil Uroodh", i.e. he is actually responsible for the Salaah and **the Muqtadie is responsible for the Salaah through him, then those things required in Salaah will only be necessary for the Imaam to perform and since the reality of Salaah is recitation of the Qur'aan, it will only be the responsibility of the Imaam to recite.**

Those things necessary for a person to be included in an act that is collectively one, such as the intention of joining the Salaah in congregation, will only be necessary for the Muqtadie to perform as he is responsible for the Salaah

through an intermediary. However, those aspects that are necessary for presenting oneself in the court of Allaah, such as Ruqu, Sajdah, Qiyaam, Thanaa, etc, will be incumbent upon both to perform.

While this is the actual point of discussion in this book, many other aspects are additionally highlighted. For example:

1. The philosophy of the entire Salaah and the wisdom behind every aspect of Salaah.

2. The importance of Salaah in relation to other acts of Ibaadat (worship) and its comparison to Zakaat, Saum, Hajj and Jihaad.

3. A detailed discussion on the Hadeeth of Hadhrat Ubaadah bin Saamit in 'Tirmidhi'. After accepting its authenticity, two explanations were provided. The first explanation is that this Hadeeth is Abrogated and the Abrogating Hadeeth is "Whoever performs Salaah behind the Imaam, the recitation of the Imaam is recitation for him", as well as the Verse, "When the Qur'aan is recited remain silent." The second explanation is that the permission of reciting Surah Faatihah is based on Ijtihaad; Rasulullaah permitted the recitation of Surah Faatihah as a matter of precaution and was later abrogated by the Verse of the Qur'aan.

4. All doubts that might arise from the Verse of the Qur'aan, "Recite that much of the Qur'aan which is easy for you", are explained thus: only the Imaam and the Munfarid (the person performing Salaah alone) arebeing addressed in this Verse because they are responsible for the Salaah – the Muqtadie is not being addressed in this Verse.

Many other related aspects were also discussed which you will soon read about.

Actually, this book was a letter which Hadhrat Moulana wrote in reply to the questions of one of his students from Nanotah; it was not a book written by him. Because his student was very intelligent and a scholar of Deen, the letter consisted of a very intricate, deep and concise discussion. One can say that only gestures were used,for as the saying goes: "A gesture is sufficient for the intelligent". Thus we thought it imperative to explain in detail that which was only hinted at so that the general readers can understand it.

This letter was published under two titles: 'Towtheequl Kalaam fil Insaati Khalfal Imaam and 'Ad-Daleelul Muhkam Ala Adami Qiraa'atil Faatihah lil Mu'tam'. These are not two separate books but two different names to the same book. However, 'Towtheequl Kalaam' has a few more lines, which contain answers to two objections.

Just like the other books of Hadhrat Moulana, this one contained many printing errors. In 1394 A.H, when this unworthy one read this treatise to his students, we compared it to many other editions and corrected the errors. *And I do not have the ability except by the grace of Allaah.*

The method I have adopted in this commentary is that I first explained the meaning of Hadhrat Moulana under different headings, which I added and thereafter quoted the actual words of Hadhrat Moulana. In this manner, the reader will have already understood what is going to be discussed, thereafter, when he reads the proofs and explanations of Hadhrat Moulana it will be easily grasped and he will also find pleasure in the concise manner in which Hadhrat Moulana explained it. He will then be able to reach the depths of the discussion that Hadhrat Moulana intended one to reach.

The original text has been quoted in a text box in bold. At times, elucidation has been added to the original text between brackets. *And all praise belongs to Allaah for what He has granted us the ability to do.*

Saeed Ahmed Palanpoori
Ustaad of Hadeeth
Darul Uloom Deoband
28 / 6 / 1396 A.H

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Heading 1

All praise belongs to Allaah, the Rabb of the universe. Who is the Most Compassionate, the Most Merciful and Master of the Day of Recompense (the Day of Qiyaamah)**. You Alone do we worship, and You Alone do we ask for help. Guide us to the straight path, the path of those whom You have favoured and not the path of those with whom You are angry** *(the Jews)* **nor the path of those who have gone astray** *(Christians)***. O Allaah! let peace and salutations descend upon our Master Muhammad, the unlettered Nabi, upon his wives, the mothers of the believers, his progeny and household, just as You have sent peace and salutations upon our Master Ibraheem _. Verily, You are Most Praiseworthy, Most Venerable.**

I will first mention a few things and then discuss the actual topic.

The Different Types of Waasithah and its Laws

At times for the laws of an act to apply to a person there is need for an intermediary. For example, in order for a pen to work the intermediary of the hand is required; for the carts of a train and its passengers to move the intermediary of the engine is required. These intermediaries are divided into three categories:

1. "Waasithah fil Ithbaat"
2. "Waasithah fith Thuboot"
3. "Waasithah fil Uroodh"

Waasithah fil Ithbaat

"Waasithah fil Ithbaat" is also known as "Had Awsath" (common characteristic). An example of this is if it were to be said that the world is likely to change and everything that is likely to change is still young, thus the world is still young. In this deduction "likely to change" is the "Hadd Awsath" (common factor) or "Waasithah fil Ithbaat" as in Qiyaas the conclusion is arrived at by means of the "Hadd Awsath". **In simple words one can say that that "Waasithah fil Ithbaat" is the intermediary through which the conclusion is arrived at.**

Waasithah fith Thuboot

"Waasithah fith Thuboot" is of two types but they do not have different names. They are referred to as 'Bil Ma'naa Awwal" and "Bil Ma'naa Thaani". "Waasithah fith Thuboot bil Ma'naa Awwal" is when the intermediary in applying the law to an item is only a go-between, **in other words, the law will not apply to the intermediary but only to that which it is linking.** For example if a clothes-dyer applies a detergent to his hands so that his hands do not become stained with the dye and then dyes the clothes wherein the hand of the clothes-dyer is the intermediary (go-between) between the clothes and the dye but his hands will not be coloured with the dye. Another example is that of a Fudhooli in Nikaah (a person performs the Nikaah without the permission or instruction of the girl), who is the "Waasithah fith Thuboot bil Ma'naa Awwal", when the girl gives permission the Nikaah will be valid and the laws of marriage will apply to the two spouses but **the Fudhooli will remain a intermediary (go-between) and the laws of marriage will not apply to him.**

"Waasithah fith Thuboot bil Ma'naa Thaani" is where the law applies to both the intermediary and that which it is linking

but first to the intermediary then to what it is linking. For example the hand of the person writing and the pen both are moving together but it is the hand that moves first then the pen.

Waasithah fil Uroodh

"Waasithah fil Uroodh" is where the law applies only to the intermediary and by default it will apply to that it is linking. For example, a passenger in a train is said to be moving by default and it is only the engine that it is moving.

First, I would like to say that (in "Waasithah fil Uroodh") **qualities are of two types: that which is "Bith dhaat"** (in the object itself) **and that which is "Bil Ardh"** (by default)**. However, the qualities ascribed by default are the same as the quality in the object itself and is only ascribed to that being linked because of it being linked to the intermediary.**

Differences between the Two Types of Waasithah

"Waasithah fil Ithbaat" (Hadd Awsath) is something entirely separate thus there is no need to explain its differences. Similarly the differences in "Waasithah fith Thuboot bil Ma'naa Awaal" are apparent from the others as the law does not apply to the intermediary at all but only to that being linked. However in "Waasithah fith Thuboot bil Ma'naa Thaani" and "Waasithah fil Uroodh", since the law is applying to both the intermediary and what is being linked, it is necessary to point out the differences between the two.

First Difference

In "Waasithah fith Thuboot bil Ma'naa Thaani" both the quality and the objects may be more than one but in

"Waasithah bil Uroodh" the objects may be numerous but the quality is one. For example, the hand and the pen are two separate objects and their movements are different, on the other hand, the passengers and the engine have the same movement even though they are separate objects.

It should be borne in mind that in this instance (in "Waasithah fil Uroodh") **the quality is one even though the objects may be many. The objects may be many, some possessing in itself, and others having the quality ascribed to it by default. Then one object having the quality in itself may have many objects to which the quality has been ascribed by default, attached to it** (just as one engine, which has the quality it itself, may have many passengers, to whom the quality of movement has been ascribed by default.)

Second Difference

Because the quality isone in "Waasithah fil Uroodh", which only the intermediary possesses in reality, only it requires the quality and that which is linked to it has no necessity for it. However,since in the qualities are two in "Waasithah fith Thuboot bil Ma'naa Thaani", which are contained in both the intermediary and that linked to it, they both require the quality. For example: the quality of movement (or the requirement of coal for movement) is only required by the engine and not the passengers or carts; if a passenger is sick or sleeping, unable to move, then too the engine will carry out movement. **On the other hand, both the hand and pen require movement, if the arm is lame or the pen too heavy then movement is impossible**.

It is clear from this explanation that (in "Waasithah fil Uroodh") **only the object containing the quality in itself requires it but the effects of the quality will affect what is linked to it through it. This is the very reason why the**

tools needed for movement is only required by the engine but "Tabadul Awdhaa'a", which is the effect of the movement, also affects the cart and its passengers by means of the engine.

"Awdhaa'a" is the plural of "Wahdha'a" which is a theory of philosophy referring to the connection particles of an object has with the particles of another object. For example: the boat is an object which has a connection with each particle of the sea beneath it. When the boat moves then the connection changes – this is referred to as "Tabadul Awdhaa'a".

And just as the engine moves and changes, so does the connection between its cart and passengers change. In other words, "Tabadul Awdhaa'a" is a result of the movement by the engine whichaffects the passengers as well.

Hadhrat Nanotwi ↦ writes in Masaabeehut Taraweeh:

“Everything contains some quality within itself without looking at other objects and the quality of some objects is a result of another object which should be said to be its ‘Wadha'a’.”

The word referring to a quality refers to the object having the quality in itself

If a word is used in any place that refers to a specific quality then it will refer to the object that contains the quality in itself (Mowsoof bith Dhaat) and not that which attains the quality through another object (Mowsoof bil Ardh). For example, the Verse of the Qur’aan, "Recite that much of the Qur’aan which is easy for you", without doubt refers to the person performing Salaah and refers to a quality of Salaah, thus it will be directed to that person containing the quality of Salaah in himself (Mowsoof bith Dhaat) and is responsible for the

Salaah and not the person who is said to be in Salaah by default (Mowsoof bil Ardh). The person having the quality of Salaah in himself are the Imaam and Munfarid (person performing Salaah alone) whereas the Muqtadie (person following the Imaam) possesses the quality of Salaah by default (by means of the Imaam). **Thus the Verse of the Qur'aan only addresses the Imaam and Munfarid and not the Muqtadie.**

In addition, since a general directive refers to a complete object only (it does not refer to the Muqtadie), because a complete object in Salaah will refer to that person who contains the quality of Salaah in himself (Mowsoof bith Dhaat), whereas the person containing it by default (Mowsoof bil Ardh) will be regarded as an incomplete object.

However, if there is a clause which prevents the object having the quality in itself (Mowsoof bith Dhaat) from being implied then it will not be implied and on account of the clause the object having the quality in it by default (Mowsoof bil Ardh) will be implied. For example, in the Verse of the Qur'aan:

النبی اولی بالمؤمنین من انفسهم

"The Nabi has a greater relationship *(of love)* with the Mu'mineen than even their own selves." (Surah Ahzaab: 6)

The word Nabi refers to the quality of Nabuwwat and even though it might seem that this Verse of the Qur'aan is specific, it is actually general, meaning that every Nabi has a greater relationship with the Mu'mineen of his Ummat than even their own selves[1]. However the word 'Nabi' does not

[1]For further explanation please refer to the first letter from 'Makateeb Qaasimul Uloom'.

imply that every Nabi has the quality of Nabuwwat within himself, because in the next Verse:

لكن رسول الله و خاتم النبيين

"But he is Allaah's Rasul and the seal of all Ambiyaa *(after whom there shall be no other Nabi)*." (Surah Ahzaab: 40)

The words "Seal of all the Ambiyaa" indicate that it is only Rasulullaah who has the quality of Nabuwwat in himself and the other Ambiyaa possess the quality of Nabuwwat by default[1].

Secondly, I would like to mention that according to the scholars of philosophy, a word referring to a quality refers to the object possessing the quality in itself (Mowsoof bith Dhaat)**. However if there is any evidence that suggests otherwise then it may be taken to refer to that having the quality by default** (Mowsoof bil Ardh)**.**

One thing may have various descriptive names and the laws relating to them vary

Due to the various qualities an item may possess, it may have various descriptive names. For example the Qur'aan has a few names: Qur'aan, Kitaabullah, Furqaan, etc.

Qur'aan or that which is recited is its actual name but in Surah Takweer and Surah Hijr it is referred to by a different name when mentioning its purpose (namely an advice and reminder). When the number of Surahs revealed increased and could now be called a "Kitaab", in Surah A'raaf it was

[1]For further explanation please refer to 'Aab Hayaat' and 'Tahtheerun Naas min Inkaari Athar Ibn Abbaas'.

referred to as ‘Kitaab’. Finally it was referred to as Furqaan (that which differentiates between truth and falsehood).

Similarly, in Hadeeth, Surah Faatihah has been given various descriptive names. The names of Rasulullaah and the many blessed names of Allaah Ta'ala are also examples of this. Another example is when one thing is referred to differently when referring to its meaning, objective, implication, or connotation. ‘**Connotation’ refers to what is understood by the word itself, ‘implication’ refers to the meaning the word intends to imply, ‘meaning’ refers to its literal purport and ‘objective’ refers to the intention with which the word was used.** In simple words, just as one person can be a father, son, uncle, nephew, Moulana, Mufti, Qaadhi and Haaji from different perspectives, so can Salaah have various descriptive names from different perspectives. It is called Salaah because it consists of supplication, it is called Dhikr (remembrance) because its purpose is to remember Allaah, it is called Ibaadat (worship) and obedience because worship and obedience is its ultimate purpose and since it is an extremely meritorious act it is called Hasanah (meritorious act).

The laws and effects of each of these names are different. For example, by being a son, obedience will be incumbent upon him and by being a father, he will be deserving of respect.

The reason why an object will have many descriptive names is that some things are great, have many perspectives to it and contain many virtues but there is no precise word in the dictionary that can draw out these meanings and highlight each of these aspects. In such an instance it becomes necessary to ascribe various descriptive names to an item so that all these aspects can become apparent. **This is the very reason that Allaah Ta'ala has various descriptive names as Allaah Ta'ala is Great and Has infinite virtuous Qualities**

and no word in any dictionary can highlight all these attributes. This is why through the various blessed names of Allaah Ta'ala we are able to understand the Great Power and Attributes of Allaah. The laws relating to the various names of Allaah are different. For example: the Greatness and Majesty of Allaah demands that He be worshipped and revered, whereas Allaah, being All Seeing and Informed, demands that a person be modest and discard immoral acts.

Similarly, the attributes that inform us of the Mercy of Allaah demand something from us and the attributes that denote His Anger and Independencedemand the opposite as well.

Thirdly, I would like to mention that just as an item may have various names based upon its meaning, objective, implication and connotation or just as from different perspectives one person may be a father, son, uncle, nephew, etc., so can Salaah be called a Dua, Dhikr, obedience, Ibaadat, Hasanah, etc. Just as the meaning, implication, etc. of father, son, etc. are different from each other (such as a father is deserving of respect and obedience incumbent upon a son) the same should be kept in mind for Salaah.

Things associated to an object will be included with it but their laws will differ

Things associated to an object will be included with it. For example, the expression of neediness and helplessness, respect and veneration of a beggar will be considered as asking for something. This is the reason why it is not Waajib to reply the Salaam of a beggar[1] as in reality it is not Salaam but asking for something. A clearer example would be that

[1]'Shaamie' volume 1 page 433

just as the items needed for cooking, such as wood, fire, water, coal, etc. are written under the cooking expenses, the same laws do not apply to it as the actual meal. Coal and wood will not be kept in the same area as where the bread is kept and the relish one gets from eating bread will not be the derived from eating wood. The method of breaking bread is different when compared to the method of cutting wood. **In a similar manner, Salaah consists of acts that are its purpose and others that are associated to it and even though these associated acts might not be the actual purpose of Salaah, it is included with it.**

Fourthly, I wish to say that just as the expression of neediness and helplessness, respect and veneration of a beggar is for the purposes of begging or is to add weight to his purpose, all are understood to be begging. Or just as coal, wood, etc. are written with the cooking expenses such that it is included when saying that the cooking expenses amounted to so much this month, so too those aspects of Salaah that are considered part of the Salaah because of it being associated to it cannot be included part of it without bearing in mind the reality that it is only a part of the Salaah because of it being associated to it; they are the means used to attain the objective.

However, just as wood, coal, etc. cannot be placed in the same place where the food is kept, if the food is kept in the pantry or a container then the wood will be kept in the shed, and neither is the same done to it as is done with the food, nor does it have the same relish or satisfaction. Bread needs the oven, water, wheat, etc. and wood and coal needs to be burnt, chopped and cut. The same is in the acts of Salaah (those acts which are the purpose of Salaah) **and those associated to it; they are** (their laws are) **different from each other.**

Let me give a clearer example: when a commoner comes to the court of the king to make a request and to hear the official decrees, then there are two things that occur, the first is putting his request before the king and hearing his decree; the other is presenting himself before the king respectfully and honouring the king, which will be considered to be associated with putting his request forward. Just as the tongue is necessary to make one's request and the ears to hear the decree and clean clothes necessary for presenting oneself before the king, **so too in Salaah there are laws necessary for the Salaah to be complete and laws necessary for presenting oneself in the court of Allaah Ta'ala.** Just as presenting oneself in the court of the king, greeting him with respect, etc. is considered to be part of representing one's request (actual purpose), so are those aspects deemed necessary for presenting oneself in the court of Allaah associated with Salaah.

If you require an even clearer example then listen well! For a commoner to make a request from the king he has to go to the king's court and all the necessities, etiquettes, and manners required for entering the court of the king will be considered to be a part of making his request. However, just as a tongue is necessary for making the request and ears are necessary to hear the decree, so too is humility and clean clothes necessary for presenting oneself in the court. If his not present then it means that he has no need, if he does not makes his request and does not hear the decree then there is no need for the ears or tongue. Similarly, with regards to Salaah itself the laws are different and with regards to presenting oneself before Allaah the laws are different. Just as putting forward one's request is impossible without being present in the court, so is Salaah impossible without presenting oneself before Allaah. Going to the court and observing the etiquettes of the court are considered to be part of putting

forward a request and why should it not be? This (putting forward a request) **is the purpose of coming to the court – coming to the court is not the purpose itself. In the same way, the Salaah itself, and those aspects necessary for presenting oneself before Allaah Ta'ala should be considered.**

The Ambiyaa can err in matters pertaining to Ijtihaad.

The laws which the Ambiyaa give to their Ummat are of two types;

1. The laws that have been revealed through Wahy (revelation).

   There is no possibility of error in laws of this type as the Ambiyaa are the narrators and they are narrating from Allaah; so how is error possible in this?

2. Those laws regarding which no Wahy (revelation) has been revealed and the Ambiyaa decide using Ijtihaad (deliberation).

   There is possibility of error in these verdicts which are eventually rectified (by Allaah) and the error removed.

To further elaborate on this, the Ambiyaa use Ijtihaad in those matters regarding which no revelation has been revealed in times of necessity. Later Wahy (revelation) is sent based upon their decision.

While discussing this aspect, Hadhrat Shah Waliyullaah Muhaddith Dehlwi ↦ has written that the order and manner of aspects of worship are at times prescribed through Wahy (revelation) and at other times through the Ijtihaad of a Nabi. He further states:

اجتهاده بمنزلة الوحى لان الله تعالى عصمه من ان يتقرر رايه على الخطأ

"The Ijtihaad of Rasulullaah is of the same level as Wahy (revelation) because Allaah Ta'ala has safeguarded him from staying on error." (Hujjatulaahil Baalighah)

Qaadhi Baydhaawi ↦ has written regarding the prisoners of Badr mentioned in Surah Anfaal:

والاية دليل على ان الانبياء يجتهدون و انه قد يكون خطأ و لكن لا يقرون عليه

"This Verse is proof that the Ambiyaa use Ijtihaad and at times may err but are not left in error."

When discussing in 'Makateeb Qaasimul Uloom' that every Mujtahid can err, Hadhrat Nanotwi ↦ writes:

"In the incident regarding the prisoners of Badr, we know what the opinion of Rasulullaah was and what law was revealed by Allaah Ta'ala. In the incident of the animals, the opinion of Hadhrat Dawood _ is known and by Allaah Ta'ala saying, 'We granted Sulaimaan understanding' the meaning of this Verse is understood. When this is the condition of the Ambiyaa in Ijtihaad, what should the condition of the Mujtahids be? That is why it is said, 'A Mujtahid sometimes errs and sometimes is correct.'"

Should Surah Faatihah be recited behind the Imaam or not falls under establishing the manner and etiquette of Ibaadat, in which Ijtihaad is permissible and there is possibility for error in this Ijtihaad. In the text that follows, Hadhrat Moulana arrives at the same conclusion:

Fifthly, I would like to say that the laws prescribed by the Ambiyaa m are of two types: those based upon narration and those based upon deduction. In the first case there is no possibility of error as the Ambiyaa are truthful, whose honesty has been attested to. So when they are the narrators and they narrate form Allaah Ta'ala, how is error possible?
In the second type there is possibility of error and therefore more caution is required. However one thing is certain: the errors of the Ambiyaa are definitely corrected. Manny Ahaadeeth corroborate my claim, in addition, it is not farfetched from the natural qualities of man. Therefore there is no need for further thought over this matter.

The length of Salaah is one Raqaat

The length of Salaah is one Raqaat, i.e. each Raqaat is one complete Salaah. When one Raqaat is complete, one Salaah is complete and the second Raqaat is a separate Salaah.

Hadhrat Moulana presents five proofs for this claim,

First Proof:

It is reported in Hadeeth,

من ادرك ركعة من الصلوة مع الامام فقد ادرك الصلوة

"Whoever gets one Raqaat behind the Imaam has goten the Salaah." ('Mishkaat' volume 1 page 123)

It is reported in 'Ibn Maajah',

من ادرك من الجمعة ركعة فقد ادرك

"Whoever gets one Raqaat of Salaatul Jumu'ah has got it." ('Majmauz Zawaaid' volume 2 page 192)

In 'Bukhaari' and 'Muslim' it is reported,

من ادرك من العصر ركعة قبل ان تغرب الشمس فقد ادرك و من
ادرك من الفجر ركعة قبل ان تطلع الشمس قثد ادرك

"Whoever gets one Raqaat of Asr Salaah before the sun sets has got it and whoever gets one Raqaat of Fajr Salaah before the sun rises has got it." ('Mishkaat' page 31)

After pondering over these Ahaadeeth one learns that the length of one Salaah is one Raqaat otherwise there would be no benefit in mentioning one Raqaat specifically.[1]

After discussing these five points, I would like to add that the length of a Salaah is not more than one Raqaat. Numerous Ahaadeeth such as, "Whoever gets one Raqaat behind the Imaam", "Whoever gets one Raqaat of Salaatul Jumu'ah", "Whoever gets one Raqaat of Asr Salaah", "Whoever gets one Raqaat of Fajr Salaah" all attest to this. If this were not the case then specifically mentioning one Raqaat would be of no benefit.

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[1]Hadhrat Nanotwi ⟼writes in 'Masabeehut Taraweeh', "You would have probably learnt at this point that the meaning of the Hadeeth, "Whoever gets one Raqaat of Fajr", really means "Whoever gets one Raqaat of Fajr Salaah before the sun rises has got the virtue of Salaah". This Hadeeth does not mean that his Salaah is complete or that this Raqaat suffices for the Raqaat that he missed. If this is taken to be the meaning of this Hadeeth that it will be in contradiction of the Hadeeth which prohibits Salaah during the three forbidden times and then it would be necessary to reconcile between them either by ruling one as abrogated or an exceptional case. **Instead of this the reality is that this Hadeeth is silent with regards to whether the Salaah is complete or if the previous Raqaats need to be repeated and not in contradiction to it.**

Second Proof:

It is reported in Hadeeth,

لا صلوة الا بفاتحة الكتاب

"Salaah is not valid except with Surah Faatihah."

This Hadeeth requires that Surah Faatihah be recited once in every Salaah, whether it be Mustahab or Waajib, recited by the Muqtadie or by the Imaam. Thus, if the all the Raqaats read with one Salaam are considered to be one Salaah, then recitation of it once would be sufficient for the entire Salaah whereas it is not and Surah Faatihah is required in every Raqaat, which would mean that each Raqaat is a separate Salaah.

Other rulings of Fiqh also support this such as if the Wudhu of the Imaam breaks while in Salaah and he deputes an unlettered person to complete the Salaah then the Salaah of all is invalid because each Raqaat is a separate Salaah and therefore recitation of the Qur'aan is required in each Raqaat whether it be in true recitation such as in the first two Raqaats or by default in the last two Raqaats, and the unlettered one is incapable of reciting in any of the Raqaats.

The author of 'Hidaayah' mentions the proof for this ruling in the following manner:

ولنا ان كل ركعة صلوة فلا تخلى عن القراءة اما تحقيقا او تقديرا

"Our proof is that every Raqaat is Salaah and should not be without the recitation of Surah Faatihah whether it is truly recited in the first two Raqaats or by default in the last two."
('Hidaayah' volume 1 page 114)

According to Imaam Shaafie ↦ Surah Faatihah has to be truly recited in all four Raqaats because it has been reported

that Salaah wherein Surah Faatihah is not recited is invalid and every Raqaat is Salaah, therefore he uses this Hadeeth to prove that recitation of Surah Faatihah in every Raqaat is necessary.

And the Hadeeth, "Salaah is not valid without Surah Faatihah" after considering that the recitation of Surah Faatihah is required in each Raqaat. Whatever explanation is used to establish it supports my claim because if this were not the case then one Surah Faatihah would have sufficed for all the Raqaats read with one Salaam.

Third Proof:

The practice of Rasulullaah to perform fifty Raqaats of Salaah also informs us that the length of Salaah is one Raqaat. The explanation of this is as follows; **it is an accepted principle of Fiqh that if any law has been abrogated to create ease for the Ummat then it still remains Mustahab (preferable) to perform as long as there is no other proof preventing its performance.** An example of this is the fast on the Day of Aashura (10 Muharram), which was first Fardh or Waajib and then later Abrogated, but it still remains Mustahab (preferable). The reason for this principle is that the purpose of Abrogation is to create ease for the Ummat and not that there was any fault in the act that was abrogated. In fact, the act itself still remains commendable after it has been abrogated; for example, the incumbency of the fast of Aashura was abrogated to create ease for the Ummat but still remains a meritorious and praiseworthy act.

Similarly, on the night of M'iraaj fifty Salaah was prescribed for this Ummat, which was lessened to create ease

for the Ummat until only five Salaah remained[1]. However, the fifty Salaah still remains commendable and Mustahab.

Question: A question might arise regarding this principle: while on journey, four Raqaats Salaah has been lessened to two so as to make it easy for the traveller, therefore performing the entire Salaah (four Raqaats) should be Mustahab or at the least permissible as is the opinion of Imaam Shaafie ↦. However, according to the Hanafi School it is impermissible.

Answer: The reply to this is that the Salaah while on a journey has not only **been lessened so as to create ease for the traveller** but there is another reason for it as well, which prevents it from being Mustahab and **that is it being a Sadaqah (charity) from Allaah Ta'ala.** Hadhrat Umar ↔ asked Rasulullaah why they should still lessen the Salaah on a journey when there is no threat from the Kuffaar and Rasulullaah replied:

صدقة تصدق الله بها عليكم فاقبلوا صدقته

"It is a Sadaqah from Allaah so accept His Sadaqah."
('Mishkaat' volume 1 page 118)

Since performing the complete Salaah (four Raqaats) would mean rejecting the Sadaqah of Allaah, which is unbecoming of His servants, it does not remain let alone Mustahab but becomes not permissible as well. If this had not been such then it would still remain Mustahab in accordance with the principle of Fasting for a traveller; he has been excused from Fasting solely for ease, thus if there is no difficulty for him it would be Mustahab for him to fast.

[1]In 'Bukhaari' and 'Muslim' the Hadeeth of Hadhrat Ibn Mas'ood ↔ regarding M'iraaj has been reported wherein the words "I have made ease for My servants" are mentioned.

In the incident of M'iraaj, fifty Salaah being lessened to five still suggests that fifty Salaah is Mustahab and why should it not be? This is what sound intellect understands an order being lessened to mean. If it is said that the opposite can be seen then in that instance the reason why it was lessened is not only for ease but may have certain good[1] or bad reasons as well.

Nevertheless, when fifty Salaah still remains Mustahab, then one would expect from the perfect Ibaadat and firmness of resolve of Rasulullaah that he would continue practicing on the initial order, i.e. performing fifty Salaah a day – for him to perform even more would not be surprising.

After research we are able to conclude that Rasulullaah performed fifty Raqaats of Salaah in a day from which we are able to discern that these fifty Raqaats are in actual fact the fifty Salaah that had been first prescribed on the night of Mi'raaj.

The fifty Salaah that Rasulullaah performed in a night and day:

- **Two Raqaats Sunnat of Fajr**
- **Two Raqaats Fardh of Fajr**
- **Six Raqaats Sunnat of Zuhr**
- **Four Raqaats Fardh of Zuhr**
- **Four Raqaats Fardh of Asr**
- **Three Raqaats Fardh of Maghrib**
- **Two Raqaats Sunnat of Maghrib**
- **Four Raqaats Fardh of Isha**
- **Two Raqaats Sunnat of Isha**

[1]In other words to accept the Sadaqah of Allaah is good and to reject it is bad.

- **Three Raqaats of Witr Salaah**
- **Eight Raqaats Tahajjud Salaah**
- **Two Raqaats of Ishraaq Salaah[1]**
- **Four Raqaats Salaatul Chaasht**
- **Four Raqaats of Salaatul Zawaal[2]**

This makes fifty Salaah.

The fifty Salaah can also be calculated as follows:

- Two Raqaats Sunnat of Fajr
- Two Raqaats Fardh of Fajr
- Eight Raqaats Sunnat of Zuhr
- Four Raqaats Fardh of Zuhr
- Four Raqaats Sunnat of Asr
- Four Raqaats Fardh of Asr
- Four Raqaats Sunnat of Maghrib
- Three Raqaats Fardh of Maghrib
- Four Raqaats Sunnat before Isha
- Four Raqaats Fardh of Isha
- Six Raqaats Sunnat after Isha[3]
- Three Raqaats Witr Salaah
- Two Sunnat after Witr Salaah

This also makes fifty Salaah[4].

Note: amongst these some are Sunnat-Mu'akkadah and others are Sunnat-Ghair-Mu'akkadah. Sunnat-Mu'akkadah refers to

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[1]As reported by Imaam Tirmidhi from Hadhrat Ali ـ.

[2]This is the manner in which Hadhrat Moulana Nanotwi ⟼calculated the fifty Raqaats in 'Masabeehut Taraweeh'.

[3]As has been reported in 'Abu Dawood'.

[4]The fifty Salaah can be calculated by various other methods as well and in whatever manner you calculate it may exceed fifty but will never be less.

those Salaah that Rasulullaah performed regularly with the Fardh Salaah and Sunnat-Ghair Mu'akkadah refers to those Salaah that Rasulullaah performed occasionally, meaning that one should read them if time permits. **If Rasulullaah omitted one of these Salaahs then he would make up for it in his Tahajjud Salaah.This is the reason why the narrations regarding the number of Raqaats Rasulullaah read for Tahajjud Salaah differ. If Rasulullaah could not make up for it in his Tahajjud Salaah then he would perform it after sunrise before midday.** These free hours of the day and night have been kept like this for this very purpose. Allaah Ta'ala says in the Noble Qur'aan:

وَهُوَ الَّذِي جَعَلَ اللَّيْلَ وَالنَّهَارَ خِلْفَةً لِّمَنْ أَرَادَ أَنْ يَذَّكَّرَ أَوْ أَرَادَ شُكُورًا ـ

"It is He Who has appointed the night and the day in succession for the one who intends to take heed (reflect) or who intends to be grateful. (It is such people who appreciate these favours of Allaah and use them in obedience to Him.)*"*
(Surah Furqaan: 62)

Allaamah Aaloosi ↦ explains the meaning of "*he who intends*" in 'Ruhul Ma'aani':

"The night and day is time for the remembrance of Allaah so that if any act of Ibaadat is omitted during one portion it may be compensated for in the next. This meaning of the Verse has been reported by a group of the Aimah."

Allaamah Aaloosi ↦ has also reported this narration on the authority of 'Musnad Thiyaalasi' and 'Ibn Abi Haatim' that on one occasion Hadhrat Umar ؓ was performing Chaasht Salaah until late (close to the time of Zawaal). Someone asked the reason why he had gone against his normal routine and he replied:

انه قد بقى علیّ من وردی شیء فاحببت ان اتمه او قال اقضیه و تلا هذه الایة

"A part of regular practices still remained and I wished to complete it" or he said, "I wished to perform it" and then he recited this Verse.

This solves the discussion of the difference in the number of Raqaats Salaatul Chaasht and Salaatul Ishraaq consists of, why it was not performed regularly and why they were established.

Hadhrat Nanotwi ↦ writes in 'Masabeehut Taraweeh':

"I feel that the reason why the number of Raqaats in Tahajjud Salaah differ and the performance and omittance of Ishraaq and Chaasht is based on this."

In this instance one would expect from the strength and resolve of Rasulullaah that he would not discard this Mustahab act without reason. When we examine the Salaah of Rasulullaah during the night and day we find it to amount to fifty Raqaats. If there was any shortage during the day then he would make up for it during the night and if there was any shortage during the night then he would make up for it during the day. By examining this practice of Rasulullaah we are able to conclude that the length of Salaah is one Raqaat.

The fifty Salaah which was revealed on the night of M'iraaj meant attending the Masjid fifty times a day. Since this was difficult, it was lessened to attending the Masjid five times a day. The number of Salaah was most definitely

lessened but not to five. In fact, seventeen Salaah remained and if we include Salaatul Witr then twenty Salaah remained[1].

Since the difficulty was in attending the Masjid fifty times, that is to say, to perform one Raqaat at a time thus the number of times one had to attend the Masjid was reduced.

The reason why the Raqaats of Salaah were not reduced to five is that generally a person's mind is not present and as a result concentration and devotion is reduced. At times it even results in shortcomings in the acts of Salaah. This is why the number of Raqaats have been increased so as to compensate for this lack of concentration. Since a person is usually attentive in Fajr Salaah because it is read after a long sleep and one is well rested, only one Raqaat was added[2]. The times of Zuhr and Asr are times of worldly occupation and the mind is preoccupied with it, which is why three Raqaats have been added to it. The time of Isha is the time of rest and there is fear of missing it, therefore three Raqaats have been added to it as well. Since the time of Maghrib is a time when one is free, with no worry, but tired at the same time, two Raqaats have been added to it. Since three Raqaats remained to complete fifty, the Salaah of Witr was added.
And Allaah knows best.

Fourth Proof:

The ruling is that if a person has hope of getting one Raqaat behind the Imaam in Fajr Salaah then he should

[1]A detailed discussion on this has been made in 'Masabeehut Taraweeh'.

[2] Hadhrat Moulana Nanotwi ↦has given a detailed discussion on this in 'Masaabeehut Taraweeh'. Hadhrat Moulana is of the opinion that Salaah actually consists of two Raqaats and as a result no raqaats were added to Fajr as opposed to the other Salaah. This discussion must be read.

perform his Sunnat Salaah before joining the Imaam. This also establishes that the Fuqahaa consider one Raqaat to be Salaah. This is why they say that if it is possible to perform one Raqaat behind the Imaam, the Sunnat Salaah should not be left and instead both virtues should be gained.

In addition, the Fuqahaa have stated that if a person has hope of performing one Raqaat behind the Imaam in Fajr then he should perform his Sunnats first. In other words, they also regard one Raqaat as Salaah and as long as it possible to read the Salaah with Jamaat, the Sunnats must be made and both virtues gained. If gaining both is not possible then Salaah with Jama'ah is more important.

Fifth Proof:

After one Raqaat is complete, the same acts are repeated; the same Qiyaam, Qiraa'ah, Ruqu and Sajdah, from which we learn that the length of Salaah is one Raqaat.

By the fact that after a Raqaat is complete the same acts are repeated, a person of sound understanding will deduce that Salaah concludes when a Raqaat is complete.

The proofs given by Hadhrat Moulana end here. We, however, will now add a few more.

Sixth Proof:

It is reported in Hadeeth:

"Allaah Ta'ala made Salaah incumbent upon you via his Nabi; four Raqaats when at home, two while on journey and one when in fear." ('Muslim')

Hadhrat Sheikh Abdul Haqq Muhaddith Dehlwi writes under the commentary of this Hadeeth in 'Lam'aatut Tanqeeh':

"A group of Aimah practice upon the apparent meaning of this Hadeeth." ('Muslim' page 119)

In other words, according to them Salaah consists of one Raqaat in times of fear, which proves that they understood one Raqaat to be a complete Salaah.

Seventh Proof:

In Hadeeth, the words "صلوة بتيراء" (Salaah whose tail has been cut off) was used to refer to Salaah consisting of one Raqaat, prohibiting it. This also informs us that one Raqaat is Salaah even though it is defective. A person can try as hard as he possibly can but will still not be able to perform Salaah as it should be performed; therefore if he reads one Raqaat his Salaah will remain incomplete and not worthy of presenting before Allaah Ta'ala. **This is why the Shari'ah has ordered two Raqaats to be read so that the shortcoming of one Raqaat will be compensated for by the other Raqaat and can be presented before Allaah.**

Eighth Proof:

According to Imaam Shaafie ↦, one Raqaat suffices as Witr Salaah from which we understand that according to him, Salaah is complete with one Raqaat.

Ninth Proof:

Under the discussion of what the constituents of Salaah are, it is written in "Nihaayah Sharah Hidaayah':

"The final Qa'adah, even though Fardh, is not an actual constituent of Salaah since it is not prescribed in the first Raqaat of Salaah."

This substantiation of the author of 'Nihaayah' proves that each Raqaat is a complete Salaah.

Tenth Proof:

If a person were to take an oath not to read Salaah and then performs Salaah, his oath will break as soon as he lifts his head from the second Sajdah and completes the Raqaat. This proves that the length of Salaah is one Raqaat.

This makes ten complete proofs.

Question: If the length of Salaah is one Raqaat then why does one Salaah comprise of two, three and even four Raqaats?

Answer: They are regarded as one because of the prohibition of engaging in anything else between them, which would create a delay between each Raqaat; this is why it is regarded as one and called one Salaah[1]. This is the same, as the Salaah of the Imaam and Muqtadie, which even though is one, will be regarded as many because of the many Muqtadies.

In this case, two Raqaats, three Raqaats, and four Raqaats are called one Salaah because nothing else is permitted between them. However, just as many Salaah are considered as one for the reason mentioned above, in the Salaah of the Imaam and Muqtadie, which is in fact one, is said to be many because of the many Muqtadies.

The Salaah of the Imaam and Muqtadie is one

Even though commonly understood to be a separate Salaah, the Salaah of the Imaam and Muqtadie are, in fact, one. Hadhrat Moulana Nanotwi gives five proofs for this claim:

[1] In the same way that it will be correct to use the word wheat when referring to one grain or a few bags so too will it be correct to use the word Salaah when referring to one Raqaat or many read together. (Refer to 'Masabeehut Taraweeh' for more details)

First Proof:

Selection of an Imaam to lead the Salaah is the first proof that the Salaah is one. To elaborate further, the person most deserving of being the Imaam is that person who possesses two qualities:

1. He possesses superiority in Deen because of which people look up to him and because of which they grant him precedence. In other words, they regard him to be better than themselves.

2. He surpasses others in Taqwa and has a greater ability to abstain from sin then others.

On account of these two qualities, the Fuqahaa have ruled that the one most deserving of being Imaam will be in this order:

1. One who has the most knowledge of Deen.
2. One who has the most knowledge of Hadeeth.
3. The person who has precedence in embracing Islaam.
4. The person who has precedence in performing Hijrat.
5. The person who is most pious.
6. The eldest.
7. The handsomest.
8. The person who has the most beautiful wife, as such a person will be saved from the sin of casting evil glances.

This order of precedence has been stipulated because just as a person chooses the best and fittest animal to ride when departing on a journey so is the best person chosen as the Imaam so that the Salaah of the Muqtadie will also be the best. The reason being that the Salaah of the Muqtadie is dependent upon the Imaam in excellence and defect; **the same**

as the speed of the rider will be dependent upon the speed of his steed.This proves that the Salaah of the Imaam and Muqtadie is the same.

If the Salaah of the Muqtadie was different then the Salaah of the Imaam would have no effect on them and there would be no need to select the best individual to lead the Salaah.

In such an instance there would be no differentiating characteristics between them except that the Imaam stands in front and the Muqtadies stand behind him. However, this makes no sense at all because if the characteristics mentioned above are required only so that he can stand in front of them then the Muqtadies standing in the first row would also have to meet specific requirements as they too are standing in front of the others.

In fact, with the exception of the last row, this should be the condition in all the rows. On the other hand, when possessing these qualities is neither merely so that the Imaam may stand in front, nor is it a requirement for standing in the first row, then there must be another reason for these qualities being required. **The reason for it is what we mentioned earlier: that the Salaah of the Imaam and Muqtadie is one and the effect of his Salaah, whether it is excellent or defective, directly affects the Salaah of the Muqtadie.** This is why he needs to be carefully selected so that through him the Salaah of the Muqtadie will also attain excellence.

The first reason is that the superiority of the Imaam according to the known sequence corroborates this, like actions of the captain of a ship will directly affect the ship that he controls. Similarly, the virtue and defect of the Imaam will directly affect the Salaah of the Muqtadie.

This is the reason why it has been stipulated that it is better and Mustahab for the Imaam to be most knowledgeable, well-versed, pious, etc. If their Salaah was separate and each was independent of the other then having such qualities would not be a prerequisite just for standing in front as then many of the Muqtadies would then require these qualities.

In essence,if the Imaam and the Muqtadie are not the same as the captain of a ship and its passengers, then what is the need for the superiority of the Imaam?

Second Proof:

The ruling is that if the Salaah of the Imaam breaks for some reason or the other, then the Salaah of the Muqtadie also breaks but if the Salaah of the Muqtadie breaks then only his Salaah is affected and it will not affect the Salaah of the Imaam. The proof for this is the Hadeeth:

الامام ضامن

"The Imaam is responsible (for the Salaah)."[1]

Just as in the case when a person takes responsibility for a debt,**if he pays it then both he and the actual debtor are absolved from the debt and if he fails to pay it then neither of them are absolved from it,** if the Salaah of the Imaam is correct then the Salaah of the Muqtadie is correct but if the Salaah of the Imaam breaks then so will the Salaah of the Muqtadie.

In addition, just as in the case of the debt, if the person who took responsibility for it pays it then the debt will be resolved but it is still incumbent upon the actual debtor to pay the person who took responsibility for its payment. He will

[1] 'Abu Dawood', 'Tirmidhi, Ahmed', and Imaam Shaafie ⟼

not be absolved from it entirely but he still remains responsible for it. Similarly, when the Muqtadie makes the intention to follow the Imaam, it is incumbent upon him to complete the Salaah correctly and if he nullifies it then it will still remain incumbent upon him. However, if he performs the Salaah correctly behind the Imaam then he will be absolved of it.

Further, once the Imaam has been given responsibility of the Salaah of the Muqtadie, then just as in the case of the debt, the debt of the actual debtor and the one who took responsibility for it is one debt, so will the Salaah of the Imaam and Muqtadie be one.

The Salaah of the Muqtadie becoming void if the Salaah of the Imaam is nullified is proof that the actual Salaah is that of the Imaam and just as the movement of a horse is attributed to the rider by default, so is the Salaah of the Imaam attributed to the Muqtadie. In addition, just as when the animal stops necessitates the rider stopping as well butwhen the rider stops it does not necessitate the animal stopping, so will the nullification of the Imaam's Salaah necessitate that everyone's Salaah is nullified but the nullification of the Salaah of the Muqtadie will not render the Salaah of the Imaam nullified.

The second reason is the Hadeeth, "The Imaam is responsible", testifies to the fact that if the Salaah of the Imaam is nullified then the Salaah of the Muqtadie is also nullified but if the Salaah of the Muqtadie is nullified then the only his Salaah will break and not anyone else's.

Explanation of this is that taking responsibility of something indicates that a right is being fulfilled and it is obvious that fulfilling the right will absolve the debtor of it. If that were not the case then two debts would become incumbent upon him. If the debtor does recompense the person who paid the debt for him, it will still be incumbent upon the debtor and nothing will be incumbent upon the person who paid it on his behalf. Similarly, if the Imaam does fulfil the responsibility entrusted to him then it is impossible to imagine the Muqtadie becoming absolved of it but if the Muqtadie discards something that is Waajib then the Imaam will still be absolved of his responsibility.

In essence, the Salaah of the Muqtadie becoming nullified when the Salaah of the Imaam is nullified is also proof of this. Like the movement of a ship, the Salaah of the Imaam is attributed to the Muqtadie. Just as the immobility of the ship will necessitate the immobility of the passengers but the immobility of the passenger will be attributed to himself only and will not affect the ship, so too is the case of nullification in Salaah.

Third Proof:

The ruling is that if the Imaam makes an error in Salaah then Sajdah-Sahw is incumbent upon the Imaam and Muqtadie but if the Muqtadie errs then Sajdah-Sahw will **not** be incumbent upon the Muqtadie, neither will it be incumbent on the other Muqtadies or the Imaam. This also is

an indication that the Salaah of the Imaam and Muqtadie is one.

An example of this is if the animal one is riding stumbles then the rider will stumble with it but if a strong gust of wind blows on the rider then neither will the rider fall nor the animal. **This is because the movements of the animal and rider are one.** The animal is "Waasithah fil Uroodh" for the rider to be attributed with the quality of movement; i.e. the quality of movement is attributed to the rider as a result of the movement of the animal. **In a similar manner, the Imaam is emitting and the Muqtadie is receiving and their Salaah is one.** The Imaam is "Waasithah fil Uroodh" for the Muqtadie to be attributed with the quality of Salaah. This is why Sajdah-Sahw is incumbent upon the Muqtadie as well if the Imaam commits an error but Sajdah-Sahw is not incumbent upon anyone if the Muqtadie commits an error.

The third reason is that just as a boat rocks because of a strong wind so will the passengers of the boat but if a strong wind blows on the passengers only, then neither will the boat rock nor will the passengers. The reason for this is that their movement is one as we known, which assist us in understanding that one is emitting the quality and the other receiving.

Similarly, the error of the Imaam making Sajdah-Sahw incumbent on all and the error of the Muqtadie not making it incumbent on anyone inform us that their Salaah is one. The experts of the field look at this and say that the Imaam is the one emitting the quality and the Muqtadie is receiving.

Fourth Proof

The necessity of the Muqtadie to participate in all acts of Salaah with the Imaam, without preceding him or delaying it after he has finished, informs us that their Salaah is one. The prohibition of preceding him or delaying it after him is because in order for the rider to move he needs to be in synchronization with his steed. If the passenger will not be in synchronization with the steed, train or car then the quality of movement of these objects will not be ascribed to him. **Another example for this is that in order for a mirror to reflect the sun it needs to be faced towards it as without it it cannot reflect anything. Similarly, the Imaam and Muqtadie need to be synchronized.** Just as movement and light are only in the steed and sun, and the rider and mirror acquire this quality by default, and in order to do so they need to be in synchronisation with the steed and sun, so too is it necessary for the Muqtadie to be in synchronisation with the Imaam in order to be attributed with the quality of Salaah.

The reason for this is that it is the Imaam who actually possesses the quality of being in Salaah and the Muqtadie is attributed with this quality through him. If the Salaah of the Imaam and Muqtadie are separate then the condition of synchronisation will be futile.

Fourthly: The Muqtadie is prohibited from preceding the Imaam in Ruqu and Sajdah or delaying it after him, as attested to by sound understanding, which is proof that it is the Salaah of the Imaam that is attributed to the Muqtadie. In this instance, being in synchronisation with him is necessary just as a mirror needs to be aligned with the sun or a passenger boarded upon a ship in order to move with it. If this were not the case then the condition of synchronisation would be futile.

Fifth Proof

The Sutrah[1] of the Imaam suffices for the Muqtadie as well. This also proves that the Salaah of the Imaam and the Muqtadie is one.

The proof for this ruling is the Hadeeth of Hadhrat Abdullaah bin Abbaas □ where he narrates that he came to Rasulullaah □ riding upon a donkey. He was close to puberty at that time. Rasulullaah □ was performing Salaah in Mina and there was a wall in front of him. He says:

"I passed a few of the rows of those performing Salaah then dismounted and joined the Salaah. Nobody objected to this action of mine." ('Bukhaari' and 'Muslim')

Nobody objecting to this is proof that Hadhrat Abdullaah ibn Abbaas passing them was permissible as Rasulullaah □ was the Imaam and there was Sutrah in front of him which was sufficient for all the Muqtadies and it is permissible to pass in front of the Sutrah. Nevertheless, the ruling that the Sutrah of the Imaam is sufficient for the Muqtadie and the Sutrah of the Muqtadie is not sufficient for the Imaam proves that it is the Imaam who is actually performing the Salaah and the Muqtadie is benefitting from him.

Fifthly: The Sutrah of the Imaam is sufficient for the Muqtadie, the Hadeeth of Hadhrat Ibn Abbaas corroborates this. This proves that the actual person performing Salaah is the Imaam and the Muqtadie is benefitting from him.

[1] An object placed in front of the Imaam so that people may pass in front of him.

Sixth Proof

(The proofs given by Hadhrat Nanotwi are complete and now we add to them.)

It is a rule of Arabic grammar that when a singular noun is attached to a plural noun then the attached noun will be one and the one it is attached to will be many. For example in the following, "كتابهم" (Their book), "ابوهم" (Their father), the father, and book are one but the owner and children are many. When a plural noun is attached to another plural noun then both will be many. For example in the following, "رووا عن ابائهم" (they narrate from their fathers), "اخذوا اقلامهم" (They grabbed their pens), the father of each person is different and each person's pen is different.

The summary of this is that in the first instance all the people referred to in the plural noun are attached to one thing whereas in the second instance each individual was attached to a different thing. Now let us examine all the Ahaadeeth as well as what is commonly said "صلوة الجماعة" (Salaah is singular and Jama'ah plural) and it is not said "صلوات الجماعة" (with Salaah plural and Jama'ah plural as well) in any narration, which proves that the Salaah of all is one in which the Imaam is the person truly attributed with the quality of Salaah and the Muqtadie is attributed with it through him.

In essence, their Salaah is one because of the reason stated above: the Imaam is the main person possessing the quality in himself and the Muqtadie is his follower and possesses the quality by default.

Question: A doubt may arise that the proofs for the Salaah of the Muqtadie and Imaam being one mentioned above are not really proofs for this matter but only signs, so how is this claim proven?

Answer: Conviction is attained from signs as well. For example, for the claim that the light of the moon is attained from the light of the sun; the only proofs are signs, such as the moon waxing and waning through the month and, during an eclipse, when the earth comes between the sun and moon then the moon loses its light, etc. These are signs but we are nevertheless convinced of its reality. Therefore in a similar manner, even if these proofs were said to be only signs, it would still grant conviction and prove our claim.

And why not? If we are able to conclude that the moon reflects the light of the sun by examining its waxing and waning, etc. then here too we can conclude what we have with certainty.

The result of the Salaah of the Imaam and Muqtadie being the same

Once it has been proven that the Salaah of the Imaam and Muqtadie are one and the Imaam is actually the one performing the Salaah, i.e. having the quality of Salaah in himself (Mowsoof bith Dhaat), and the Muqtadie is his follower, i.e. attributed with the quality of Salaah through the Imaam (Mowsoof bil Ardh), then those aspects required for one to be regarded as performing Salaah will be incumbent upon the one actually performing Salaah (Mowsoof bith Dhaat), of which is Qiraa'ah (recitation of the Qur'aan). Then those things required to follow the Imaam, i.e. required so that the quality of Salaah will be attributed to him via the Imaam, will be incumbent upon the Muqtadie only, such as the Niyyat (intention) to follow the Imaam. Those aspects required for presenting oneself before Allaah will be incumbent upon both, such as Qiyaam, Ruqu, Sajdah, Durood, etc. **In summary, Qiraa'ah is not the duty of the Muqtadie; it is only the duty of the Imaam.**

Therefore, those aspects necessary for Salaah, or say that those aspects required to be attributed will the quality of Salaah in yourself such as Qiraa'ah, will be the duty of the Imaam and those aspects necessary to follow him, or rather say to be attributed with the quality of Salaah through the Imaam, such as the Niyyat of Iqtidaa, will be the duty of the Muqtadie and those aspects necessary for presenting oneself in the court of Allaah, such as Ruqu, Sajdah, etc will be the duty of both.

The reality of Salaah is the recitation of Surah Faatihah and a Surah

Salaah has been named such for two reasons:

1. Supplicating for guidance before Allaah.
2. Listening attentively to the reply of Allaah.

Surah Faatihah is for the first purpose, in which it is asked "اهدنا" (Guide us) and the Surah that is read after is for the second purpose, i.e. the reply to one's request, which the Imaam recites on Allaah's behalf. It is because of these two aspects that the name Salaah has been kept. Therefore both of these aspects will remain the responsibility of the person possessing the quality of Salaah in himself (Mowsoof Bith Dhaat).

Further commentary of this is that Salaah is called 'Salaah' because of the known request and listening to the associated decree, which is found in the recitation of Surah Faatihah and a Surah.

First Proof:

The literal meaning of 'Salaah' is 'to supplicate'. Allaah Ta'ala says in the Noble Qur'aan:

إِنَّ اللَّهَ وَمَلٰئِكَتَهُ يُصَلُّونَ عَلَى النَّبِيِّ يٰاَ يُّهَا الَّذِينَ آمَنُوا صَلُّوا عَلَيْهِ وَسَلِّمُوا تَسْلِيمًا۔

"Verily, Allaah and His angels send Salaah on the Nabi ﷺ (Allaah showers special mercies on him and the angels pray for him). O you (men and women) who have Imaan! Send Salaah and Salaam to him (pray to Allaah to shower special mercies and peace on him by reciting the various forms of 'Salaah and Salaam' Reported in the Ahaadeeth)*."*
(Surah Ahzaab: 56)

Ulama state that the Salaah of a Mu'mineen (described in this Verse) is to supplicate, i.e. to request Allaah Ta'ala to let His Infinite Mercies descend upon His Nabi ﷺ.

In another Verse Allaah Ta'ala says:

خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلٰوتَكَ سَكَنٌ لَّهُمْ وَاللَّهُ سَمِيعٌ عَلِيمٌ ۔

"(O Rasulullaah ﷺ) Take charity from their wealth by which you may purify and cleanse them, and pray for them. Indeed, your <u>*prayer*</u> *for them is a source of comfort (and peace) for (all of) them (because they know that your du'aa is accepted). Allaah is All Hearing, All Knowing (accepts with mercy and compassion)"*
(Surah Taubah: 103)

Those Sahabah whose hearts have been wounded with worry and grief, for them your supplications are a source of peace and tranquillity.

In addition to this, wherever the word 'Salaah' has been used in the Arabic language it implies supplication. For example:

صلی صلاة ای دعا: To make Salaah, i.e. to supplicate.

صلی الله علیه ای بارك علیه و احسن علیه الثناء: May Allaah send Salaah upon him, i.e. May Allaah bless him and send praises upon him.

The specific acts of Ibaadat (worship) which has been called Salaah is called this because it is a form of supplication as well. It is written in 'Inaayah Sharah Hidaayah':

وسميت بالصلوة لا شتمالها على المعنى اللغوى

"It has been called Salaah because of it comprising of its literal meaning."

This necessitates that not only should its literal meaning also remain in the technical definition but that it should be its true meaning and everything else merely associated to it[1].

In summary, Salaah has been called such because its true reality is to supplicate and everything else (Ruqu, Sajdah, etc) is associated to it. The supplication is in Surah Faatihah and the reply in the Surah recited after. Thus these two aspects are the true reality of Salaah which will remain the responsibility of the person having the quality of Salaah in himself (Mowsoof bith Dhaat), i.e. only the Imaam.

The first reason is that the word "Salaah" through references of Fiqh indicates that verbal supplication is the objective.

Second Proof

The actual purpose for the creation of man is Ibaadat (Worship). Allaah Ta'ala says:

[1]Scholars may refer to 'Sharah Khutbatul Kaafie fi Ilmil Lughat' (page 51, 52) and 'Ilmul Haqaaiq min Ilmil ishtiqaaq' as well as 'Al-Ownul Kabeer fie Hallil Fouzil Kabeer'.

وَمَا خَلَقْتُ الْجِنَّ وَالإِنْسَ إِلَّا لِيَعْبُدُونِ۔

"I have created man and Jinn only to worship (serve) Me (besides the many various other reasons the most important objective for creating men and Jinn is for them to recognise who Allaah is)."
(Surah Dhaariyaat: 56)

The true purpose why man was created was to worship Allaah, which is why they were physically granted the ability to do so. **Thus Ibaadat (worship) is an inherent quality of man, just as the eye has been made for sight and the ears have been made for hearing, seeing and hearing be inherent qualities for them.**

Ibaadat means ‘to act in accordance with the desires of He, Who is being worshipped’. But His desires cannot be ascertained without His directives, thus the desire for Ibaadat will dictate that one ask for guidance in this regard. This is the actual purpose of Salaah, i.e. to supplicate to Allaah and listen to the reply attentively.

Secondly, just as the ability to see, etc. has been granted so that the objective may be seen or heard, thus becoming the inherent qualities of them, similarly, with reference to the Verse, "I have created man and Jinn only to worship Me", man has been created for Ibaadat and it will therefore be an inherent quality for them.

However, since Ibaadat and Ithaa'at (obedience) literally means that ‘one acts in accordance with the desires of He, Who he is worshipping’ and this cannot be determined without His instruction, the desire for Ibaadat will necessitate that a person ask Allaah Ta'ala for guidance in this regard. Therefore, it essentially for this

supplication and reply to it that the best of Ibaadats, i.e. Salaah, has been ordered.

Qiyaam, Ruqu, Sajdah, etc. have been allocated for the purpose of Qiraa'ah

Qiyaam (standing posture) is the natural condition one should be in when making a request, wherein a person bows his head with humility, and Ruqu and Sajdah, on the surface, are the etiquettes one observes in gratitude for the gift granted to him, just as Thanaa is equivalent to a greeting in the court.

Further elaboration of this is that a person first bows his head while standing with complete humility, begging before Allaah Ta'ala. In addition, he verbally professes the Greatness and Majesty of Allaah and he recites the Takbeer and Thanaa, testifying that He is free from all fault and Only Worthy of Worship. This declaration is the equivalent of a greeting in the royal court. Then one seeks protection from Shaytaan and begins praising Allaah Ta'ala with the opening verses of Surah Faatihah, mentioning His All Encompassing Mercy and acknowledging that He Alone is the Master Who has the Power to punish or reward, thereafter one makes one’s request for Hidaayat (guidance). One then listens attentively to the reply to one’s request as the Qur’aan is Hidaayat (guidance). Allaah Ta'ala says:

ذٰلِكَ الْكِتٰبُ لَا رَيْبَ فِيْهِ هُدًى لِّلْمُتَّقِيْنَ ۔

"There is no doubt (or error) in this Book (the Qur’aan which Muhammad □ recites to you). In it is (a means of) guidance for those with Taqwa (for those who carry out what they are commanded to do and who abstain from what is forbidden)." (Surah Baqarah: 2)

Thus the Surah that is recited after Surah Faatihah is in

actual fact the reply to ones request. Thereafter, in gratitude for having received this bounty (reply), a servant expresses his gratitude and makes Ruqu and Sajdah. The summary of all this is that the actual purpose of Salaah is to put a request before Allaah and listen to the reply. **In other words, the entire reality of Salaah is the recitation of the Qur'aan and the other postures are to fulfil this purpose.**

The reason why Qiyaam is necessary is obvious but as far as Ruqu and Sajdah is concerned it would seem,on the surface, that it is the same as Thanaa. If Thanaa is the manner of greeting in Allaah's court then Ruqu and Sajdah is the manner one expresses gratitude for having his request accepted, i.e. when the Surah is recited after his request, "Guide us to the straight path" then based on the Verse, "There is no doubt (or error) in this Book. In it is guidance for those with Taqwa", we learn that the request has been granted and therefore in gratitude one performs Ruqu and Sajdah.

Question: When the Surah recited after Surah Faatihah is the reply to the request for Hidaayat (guidance) made in Surah Faatihah then it would only be befitting to recite the entire Qur'aan after Surah Faatihah as the quality of "Guidance" is the quality of the entire Qur'aan and not only of a few verses. **In addition, it has been reported that Hadhrat Uthmaan and Hadhrat Tameem Daari would recite the entire Qur'aan in one Raqaat of Salaah.** Imaam Nawawi ↦ writes in 'Al-Adhkaar':

"There are numerous individuals who completed the recitation of the entire Qur'aan in one Raqaat of Salaah,

amongst whom are: Hadhrat Uthmaan, Hadhrat Tameem Daari and Hadhrat Saeed bin Jubair."[1]

However, this would mean that it would only be befitting to recite the entire Qur'aan after Surah Faatihah as this Verse, "Guidance for those with Taqwa" refers to the entire Qur'aan, and it is possible that this is why some Sahabah would, at times, recite the entire Qur'aan in one Raqaat.

Answer: This is most certainly correct and this is how it should be but to create ease sufficing on a little has been permitted. Allaah Ta'ala says:

"He knows that you are unable to precisely calculate (the duration of each portion of the night) so He has turned to you in Mercy. Therefore, (instead of trying to recite too much) recite that part of the Qur'aan which is easy."
(Surah Muzzammil: 20)

This Verse suggests that the recitation of the entire Qur'aan is desired but in order to create ease recitation of a small portion has also been permitted. In addition, just as each drop of water may be referred to as water and each grain of sand may be called sand, so can each Verse of the Qur'aan be called the Qur'aan, and the quality of "Guidance" ascribed to the entire Qur'aan can be ascribed to each Verse as well. This is on condition that the portion which is recited is a complete sentence and not a word (or incomplete sentence) such that it cannot be referred to as the Qur'aan. **This is the reason why it is permissible for a menstruating woman to teach the Qur'aan word for word.**

فی الدر المختار : ویحرم به تلاوة القران و لو دون اية على المختار

[1] "Iqaamatul Hujjah ala annal Ikthaar fid Ta'abud laisa bi Bid'ah" by Hadhrat Moulana Abdul Hayy Lakhnawi.

قال الشامی قولہ و لو دون اية ای من المرکبات لا المفردات لانہ جوز للحائض المعلمة تعليمه كلمة كلمة

"It is Haraam to recite the Qur’aan (while menstruating) even if it is less than a Verse according to the preferred opinion. Imaam Shaamie ↦ adds even if it is less than a Verse means: of a complete sentence not that which is incomplete as it is permissible for a menstruating teacher to teach the Qur’aan word for word."

However, just as each drop of water is called water and each grain of sand is called sand, so can each Verse be called the Qur’aan on condition that it can be called Qur’aan; comprising of a complete sentence or request. Thus, in order to create ease, recitation of a little has been permitted. The Verse, "He knows that you are unable to precisely calculate *(the duration of each portion of the night)* so He has turned to you in Mercy. Therefore, *(instead of trying to recite too much)* recite that part of the Qur’aan which is easy", corroborates this as it suggest that, in actual fact, the entire Qur’aan should be recited but in order to create ease recitation of a little has been permitted.

In summary the actual reality of Salaah is supplication and Qiyaam, Ruqu, Sajdah, etc. are not part of the supplication but part of its requirements.

In essence, considering the reality, neither is Qiyaam part of the actual supplication nor Ruqu and Sajdah but since it is required as an expression of humility from the one making the request and to honour the eminence of the One who is being asked from, they are both necessary. Thus just as the utensils required for cooking are included under the cooking expenses, so too, as mentioned previously, will this be included with the

request.

Ruqu and Sajdah have been stipulated specifically for recitation (Important to Understand)

We have already stated previously that the reality of Salaah is "the supplication for guidance and the reply to it" and the other acts of Salaah are associated to it. The association Qiyaam has is obvious as it is an expression of humility from one making a request but the manner in which Ruqu and Sajdah is associated to it is not clear as the explanation given above indicates that it is an etiquette observed after the request is fulfilled but it does not establish that it is also an expression of humility attached to the request. This is why another explanation will be given which will clearly indicate the manner that all three acts are associated to the request and reply.

When one looks deeper it becomes clearer that Ruqu is also an expression of humility associated with the request because it reminds one of the condition one was in when making the request, i.e. first the one making the request has to make the other inclined to him and then only is the request put forward and it is clear this manner Ruqu would attempt to earn this inclination as the act itself is loaded with request and then when rising from Ruqu, he says, "Allaah hears the one who praises Him", which will only make sense if it too was associated with the request. A request necessitates the attention of the beloved and once this attention has been gained and the request completed then he performs Sajdah because this indicates the condition one is in after having attained one's objective, more so when he is awaiting news of the pleasure of his beloved. When this news reaches him then he surrenders himself entirely and there is no better way of expressing this submission than Sajdah.

If one looks closer than he will see that Ruqu and Sajdah indicates the condition of obedience that one expresses when making a request and when hearing good news. In other words, the one making the request first needs the attention of the one he is asking and then only will the request be put forward. This is obvious. After hearing good news, especially when it is the pleasure of the beloved, it necessitates an expression of obedience and submission. Ruqu fulfils the first requirement, bowing down and then reciting, "Allaah hears the one who praises him", testifies to this. Bowing down is clearly an indication of earning attention and "Allaah hears the one who praises him" will make no sense unless it is for this purpose and of its requirements of seeking audience and is awaiting the attention of the beloved. Sajdah fulfils the second requirement because expressing the Grandeur of the Being Who is Worshipped and lowering oneself before Him are all part of honouring Him.

Why is Ruqu one and Sajdah two?

The reason for this is that seeking attention is a singular act; in reality it is one task. Therefore, that which serves that purpose, Ruqu, has also been kept single. However, submission has many scenarios as it will depend upon the order given, therefore the act which serves this purpose, **Sajdah, is many.**

However, since seeking attention is actually one act and submission has many scenarios, in accordance with the order, Ruqu is one and Sajdah many.

Why is there two Sajdah?

The reason for this is that Ibaadat (worship) is the name of

obedience and submission. And in obedience and submission it is necessary for the **Deity who is being obeyed to possess two qualities; benefit and harm.** In other words, the reason for worshipping Allaah Ta'ala is Him being the Supreme Master. Allaah Ta'ala says:

قُلْ أَ تَعْبُدُونَ مِنْ دُونِ اللَّهِ مَا لا يَمْلِكُ لَكُمْ ضَرًّا وَّلا نَفْعًا وَاللَّهُ
هُوَ السَّمِيعُ الْعَلِيمُ ۔

"Say (to the Kuffaar), "Do you worship in place of Allaah such (gods) that can neither harm you nor benefit you whereas Allaah is All Hearing, All Knowing?" (Surah Maa'idah: 76)

There are many other verses and Hadeeth to this effect which highlight the link between being the Supreme Master and being worthy of worship, the summary of which is since your "self-made gods" do not possess the qualities of the Absolute Master, which grants one the right to be worshipped, so why do you worship them? **Benefit or harm are essential qualities of the Master,** i.e. acts which He is capable of. Therefore, one act of Ibaadat should be for Allah's ability to benefit and one should be in submission to Allaah's ability to harm; His Independence, Power and Might. **It is the act of Sajdah that has the most humility, which is why it has been selected for this purpose so as to express one's submission to both these qualities.**

Or one can say that the actual reasons are hope and fear. If that which leads to hope that the Deity's ability to benefit then that which would lead to fear would be His ability to harm. This is why two Sajdahs have been stipulated so that both these qualities will be highlighted.

Summary: - In essence, Surah Faatihah and the Surah that follows is a verbal request and Ruqu, Sajdah, etc. are a physical request, which highlights that we accept and bow in submission

to the decree of Allaah that was just recited. We are not Munaafiqs (Hypocrites); our recitation is not mere incantations or verbal professions but we obey and accept it in every way.

Nevertheless, a physical request has been added to the verbal request so that no doubt of Nifaaq (Hypocrisy) will remain.

Question: One might ask that since Ruqu, Sajdah, etc. are a physical request and Qiraa'ah is a verbal request then the rule is that a physical request precedes the verbal. For example, a beggar comes to you, which itself is a sign of humility, he then stands with absolute humbleness, bows his head and only then does he make his request. With the exception of Qiyaam, why has the Ruqu and Sajdah been delayed until after the verbal request?

Answer: The question is quite relevant and to a degree correct.However, it is only after he speaks that we come to know that his posture was actually a physical request. If he does not speak then how will we know of his need? In other words, even though the physical request precedes the verbal, its purpose only becomes apparent after the verbal request is made; in fact, it is entirely dependent upon it. This is why the physical request (Ruqu, Sajdah) was placed after the verbal request (Qiraa'ah). **All praise belongs to Allaah that it has now become clear that all aspects of Salaah are for the purpose of putting forwards this request and listening to its reply.**

However, since physical requests generally occur before the verbal request but only become apparent after it and are, in fact, dependent upon it, these acts, which highlight the true state of the one asking, have been placed after the verbal request. In this instance it becomes even clearer that all acts and postures of Salaah are to fulfil

the purpose of the request and hearing its reply.

Extended Qiyaam is better than abundant Ruqu and Sajdah

The discussion that passed has highlighted the virtue of extended Qiyaam. Further elaboration of this is that Rasulullaah was once asked, "Which Salaah is best?" and he replied,

طول القنوت

"The Salaah having the longest Qiyaam."[1]

The word "Qunoot" mentioned in this Hadeeth refers to Qiyaam. The narration of Hadhrat Abdullaah bin Hubshi Khath'ami has been reported in "Abu Dawood', where this has been clarified.[2]

From all of these Ahaadeeth we can conclude that from all the acts of Salaah, extended Qiyaam is most virtuous.

However, virtue of lengthening the Sajdah has also been narrated. Hadhrat Abu Hurairah narrates that Rasulullaah said:

اقرب ما يكون العبد من ربه و هو ساجد فاكثروا الدعاء

"The closest a person is to his Rabb is when he is in Sajdah, so supplicate abundantly therein." (Muslim v 1 p 191)

As a result of these various narrations, Ulama are divided into three groups:

[1]'Tirmidhi' volume 1 page 51
[2]'Badhlul Majhood' volume 2 page 285

1. A group of the Ulama are of the opinion that abundant Ruqu and Sajdah is better, i.e. to shorten the Qiyaam and increase the number of Raqaats so that more Ruqu and Sajdah can be performed.

2. Imaam Shaafie ↦ is of the opinion that extended Qiyaam is superior, i.e. to lengthen the Qiraa'ah (Recitation of the Qur'aan).

3. Some Ulama are of the opinion that both are the same in virtue.

The Muhadditheen of the Hanafi Madhab are of the same opinion as Imaam Shaafie ↦. Hadhrat Moulana Qaasim Nanotwi ↦ gives preference to this opinion because when the reality of Salaah is the recitation of the Qur'aan then in whatever manner it can be increased will be preferred. The designated time for the recitation of the Qur'aan is in Qiyaam, therefore the virtue of extended Qiyaam will be proven.

It has also become clear that the virtue ascribed to lengthy Qiyaam is not valid.

Imaan is the Best of all A'amaal

Imaan is superior to all A'amaal because it is all encompassing and the name of true belief. It is required in all aspects of Islaamic teachings and a necessity in all A'amaal. In other words, all other actions require a specific intention whereas the intention for Imaan is general and an action requiring a general intention is evidently superior to one requiring a specific intention.

It has also become clear that just as Imaan, since it requires a specific intention and is required at all times, is superior to all A'amaal also every other action requires a

specific intention.

Salaah is superior to all acts of Worship

It has also become clear from the previous discussion that Salaah is superior to all forms of Ibaadat as it is a general request for guidance and complete submission, which is not found in other acts of Ibaadat.

The same goes for Salaah, since it comprises of a general supplication for guidance and complete submission, it is superior to all other acts of Ibaadat.

Ascertaining the superiority of Salaah by comparing it to other acts of Ibaadat

Salaah, Fasting, and Zakaat: The main difference between Salaah, Fasting, and Zakaat is that in **Salaah there is complete submission whereas in Fasting and Zakaat it is restricted.** In Zakaat, submission is only required with regards to one's wealth; similarly, in Fasting, submission is only required with regards to worldly needs. Complete submission is far superior to restricted submission.

The second difference is that **Salaah in itself is an act of worship** whereas Zakaat and Fasting are not exactly acts of worship but have become such because of compliance to the decree of Allaah. Further explanation of this is that once a person has proven himself to be obedient to Allaah through Imaan and Salaah then he is regarded as a servant of Allaah and wealth, which is in fact the property of Allaah, was given to the servant by Allaah to use for his needs. He was not made the owner of it but rather its trustee. This is why he has to conform to the orders of Allaah with regards to its expenditure. Whatever he spends from it, he will do so bearing in mind that it belongs to Allaah and he is spending it in accordance with the

manner that he has been permitted to do so. If he eats and uses it on himself then too he does it with the permission of Allaah and if he gives it to another then too he does so with the permission of Allaah. Just as it is far-fetched for the trustee of Allaah Ta'ala to be needy and only give the wealth away to others, so too is it far-fetched that an entire treasure be given to him and nothing to those who are truly in need. In fact, logic dictates that if the wealth is little then nothing needs to be given but if it is plenty then a portion of it be given to those in need. When a person takes a portion of his wealth and give it to another then he does so as the deputy of Allaah, just as a servant who gives from the wealth of his master to others in accordance to what his master has permitted him. Whatever the servant gives will be regarded to be the gift of the master and the servant will only be regarded as the bearer. Allaah Ta'ala says:

ا ٰمِنُوا بِاللّٰهِ وَرَسُولِهِ وَأَنْفِقُوا مِمَّا جَعَلَكُمْ مُسْتَخْلَفِينَ فِيْهِ فَالَّذِينَ ا ٰمَنُوا مِنْكُمْ وَأَنْفَقُوا لَهُمْ أَجْرٌ كَبِيرٌ -

"Believe in Allaah and His Rasul and spend (in charity to please Allaah) from the wealth over which Allaah has made you trustees."(Surah Hadeed: 7)

This makes it clear that Salaah is an act of Ibaadat from all points of view whereas Zakaat is performed as a trustee of Allaah. It is because of the obedience in carrying it out that it has been regarded as an Ibaadat because if charity (which is the reality of Zakaat) was truly an Ibaadat then it would necessitate that Allaah Ta'ala is the greatest Aabid (worshipper) as there is no person more charitable than Allaah Ta'ala.

Similarly, Fasting is not an Ibaadat as it,in reality, is nothing more than refraining from eating, drinking, and sexual relations. If such a simple act is regarded as Ibaadat then Allaah Ta'ala, who is the Ma'bood (One Who is Worshipped), will

have to be regarded as the greatest Aabid (worshipper), as Allaah Ta'ala never eats, drinks, or has sexual relations.

Fasting is also only regarded as an Ibaadat because of the obedience to Allaah Ta'ala it contains. If a person does not eat or drink or engage in sexual relations without the intention of Fasting then he will receive no reward as he did not have the intention of obedience to Allaah.

And why not? Zakaat and Fasting, without considering that it requires a specific intention, is not an act of Ibaadat in reality. It is only regarded as an Ibaadat because of the obedience it contains. If this were the case (that it is an Ibaadat) **then it would necessitate that Allaah Ta'ala is the greatest Aabid because the actual purpose of Zakaat is charity and the actual purpose of Fasting is to refrain, and it is evident that Allaah Ta'ala does these two acts the most.**

Salaah and Hajj: Firstly, it needs to be understood that Ibaadat and obedience is either a consequence of Allaah's quality of being the Supreme Master or love (i.e. Allaah's quality of beauty). The basis of Ibaadat being the consequence of the quality of being the Supreme Master has already been discussed. Now we will elaborate on the second basis. It is mentioned in the Qur'aan:

"Many faces (of the people in Jannah) on that day (of Qiyaamah) will be resplendent (shining brightly). (While) looking at their Rabb." (Surah Qiyaamah: 22-23)

This Verse and others like it, as well Hadeeth, highlight

that the principle reason for Ibaadat is the pleasureof Allaah. If this were not the case then in return for what is this promise a reward and bounty? This is most certainly a reward for Ibaadat and making such a promise is proof that seeing Allaah Ta'ala is desired and loved by Allaah's servants. This will only be possible if the basis of Ibaadat is desire to see Allaah. If this is not the case then this promise of gaining His pleasurewill have no weight and will be the same as throwing saffron before donkeys in order to earn their affection.

Love for Allaah requires two things:

1. A person should desire nothing but Allaah because when a person is struck with material love then he shows no concern for anything except his beloved, so why should this not be the case with true love?

2. Once he desires nothing but Allaah, he surrenders himself entirely to Allaah and, depending on the need of the hour, he will become ecstatic, wake in the early hours of the morning, ignore the advice of well-wishers (to rest) and at times in a frenzy of devotion, with full sincerity, will sacrifice his life and wealth.

Fasting is a sign of the first, that in his desire for Allaah Ta'ala he cares not for food, water, or the opposite gender. Once this has been attained what else remains?

Hajj is a sign of the second state: that in desire for Allaah he sets out in search of Him, where the Signs of Allaah are most apparent. Jihaad is a perfect and complete sign of this state.

Summary: Of the four acts of Ibaadat, Salaah and Zakaat have been stipulated as a result of Allaah's quality of being the Supreme Master whereas **Fasting and Hajj have been stipulated as a result of one's love for Allaah.** Then it is

Salaah that has actually been stipulated as an act of worship whereas **Zakaat** is regarded as an Ibaadat because of the **obedience** one displays while carrying it out.

In essence, Salaah and Zakaat have a link to each other and Fasting and Hajj have a link to each other. However, the difference is that Salaah, on account of it being an actual Ibaadat, precedes Zakaat, which is an Ibaadat because of the obedience it entails, therefore Zakaat follows Salaah. In the case of Fasting, which is not an actual act of Ibaadat, it will precede Hajj, which is entirely an Ibaadat, as the time for Hajj begins immediately after the month of Ramadaan.

The reasoning behind it is simple: in the case of Salaah and Zakaat, that which is truly an Ibaadat will be given precedence and that which is carried out only as a trustee will come second. In the case of Fasting and Hajj, Fasting will be given precedence, as the first stage of love is to shun everything besides Allaah, which is found most in Fasting.

After this necessary explanation, understand the actual purpose: there are two differences between Salaah and Hajj:

1. Salaah is complete obedience whereas in Hajj Ibaadat and obedience is not complete because even though it is entirely an Ibaadat and a sign of true love for Allaah, which necessitates obedience to Allaah, at times a lover out of lethargy might slack in its performance.
2. The second difference is that Salaah is actual obedience whereas Hajj is obedience by means of another aspect. This difference is apparent to all. Salaah being actual obedience is because it has been stipulated as a result of Allaah's quality as the Master whereas Hajj has been stipulated so that a servant can display his love to Allaah.

As far as Hajj goes, its rites, even though like the acts of Salaah as far as its actual state is concerned indicates obedience, its rites are actually to display one's love –

how can it be of the same level of Ibaadat as Salaah? Love is the provision of obedience but at times the effect of it on account of lethargy, etc. might make it seem as if obedience is lacking. In addition to this there is a great difference between obedience itself and that which leads to obedience. Hajj is obedience by another aspect and Salaah is obedience itself.

Salaah and Jihaad: firstly, the reality of Jihaad needs to be understood. Once a person becomes a slave, a lover and sincere then two things instinctively become incumbent. The first is to assist the friends of Allaah with one's life and wealth. The second is to remain vigilant over the enemies of Allaah. The first is termed, "Hub fillaah" (Love for Allaah's sake) and the second is termed "Bugh fillaah" (Hate for Allaah's sake). The acts of generosity, compassion, sacrifice, good character, shame, joining family ties, concealing faults, good advice, kindness to one's fellow Muslims, etc. all fall under the first category whereas Jihaad, Jizyah (defence tax), spoils of war, etc. are of the second category. All of these actions are not obedience itself but are regarded as obedience by another aspect and therefore cannot be of the same level and status as Salaah.

Jihaad, etc. and other similar acts of obedience should all be regarded in the same manner.

Actual purpose: Now that all supplementary explanations have concluded, we can now return to the actual discussion which is that those aspects necessary for Salaah to be called Salaah, when the Imaam is the one actually performing the Salaah (Mowsoof bith Dhaat) and the Muqtadie attributed with Salaah through the Imaam (Mowsoof bil Ardh), then Surah Faatihah and the Surah that follows will be the responsibility of the Imaam to recite. This is why Allaah Ta'ala has said:

"When the Qur'aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you."
(Surah A'raaf: 204)

Undoubtedly, if the Imaam was not the one actually performing Salaah and the Muqtadie was not his follower then one would not be responsible for the Qiraa'ah (recitation) of the other. Just as in the case of two Munfarids performing Salaah; even if they are performing Salaah next to each other, the recitation of one will not suffice for the other.

Returning to our actual discussion, the actual purpose of Salaah, which the name Salaah also testifies to, the Imaam is the one actually performing Salaah and the Muqtadie is his follower and benefitting from him, thus as a result of the rule of one possessing the quality in itself, the necessities of Salaah, i.e. Surah Faatihah which is a sincere request for guidance and declarations of loyalty, as well as the Surah that follows, etc., which is the order of Allaah Ta'ala, will remain the responsibility of the Imaam.

This is the reason for the order, "When the Qur'aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you". Undoubtedly, if this scenario of the leader and follower had not existed, then just as a two Munfarids, even if praying next to each other, whose Qiraa'ah cannot suffice for the other, here also one would not be responsible for the other.

Question: If someone were to say that the reason for the Imaam being responsible for the Qiraa'ah is not because of him being the leader and the Muqtadie the follower but merely a

random occurrence such as when one student recites the text for all in the class.

Answer: If this was the case then why is the Imaam always responsible for the recitation? When he is tired or having some other difficulty then why does someone else not begin reciting? Why does one of the Muqtadies not recite and the Imaam and other followers all remain silent? Why does this not occur? Why do all regard the recitation of the Imaam as necessary?

Moreover, the opposite never occurs, rather, according to all, it is necessary for the Imaam to recite.

Now it has become clear that there is only one possible scenario: the Imaam recites and the Muqtadie remain silent, then only will one be able to act upon this Verse.

In this case there is no other manner of reciting and listening except that the Muqtadie remain silent.

The Ruling of Silent Salaah

Once it has been established that the basis of recitation and remaining silent is the Imaam being the one actually performing Salaah and the Muqtadie(his follower), then regardless of the Salaah, whether audible or silent, the ruling will be the same. In fact, it is reported in Hadeeth:

من كان له امام فقراءة الامام له قراءة

"Whoever performs Salaah behind the Imaam, the recitation of the Imaam will suffice as recitation for him."[1]

The general connotation of this Hadeeth includes both audible and silent Salaah.This is because the basis of the

[1] For reference to this Hadeeth, please study 'Nasbur Raayah' page 6-12 volume 2.

instruction depends on, "Whoever performs Salaah behind the Imaam", and just as the Muqtadie has an Imaam for audible Salaah so does he have an Imaam for silent Salaah.

However, since the reason for recitation and remaining silent is because the Imaam is the leader and the Muqtadie the follower, the ruling will be the same for silent Salaah as it is for audible Salaah. This is why it was said: "Whoever performs Salaah behind the Imaam, the recitation of the Imaam will suffice as recitation for him."

Why does the Imaam not recite the supplications of the final Qa'adah only?

Just as the Imaam recites Surah Faatihah, which is a supplication, why does the Imaam alone not recite the supplications in the final Qa'adah as well?

First Wisdom:

Because these supplications are not the purpose of Salaah. In other words, for Salaah to be called Salaah, they play no fundamental part. This is why it is not the exclusive responsibility of the Imaam. It is mentioned on the authority of 'Iedhaah' in 'Nihaayah Sharah Hidaayah' that the final Qa'adah is Fardh but not a fundamental constituent of Salaah. It was explained earlier that the primary difference between being a fundamental constituent of Salaah and Fardh is that 'primary constituent' means 'that which leads one to understand the reality of an act'. 'Fardh' merely means that 'it is obligatory to perform' but it does not lead one to understanding the reality of an act. It is written thereafter:

وتفسير الصلوة لا يقع بالقعدة و انما يقع بالقيام و القراءة و الركوع و السجود

The reality of Salaah is not understood through the final Qa'adah but rather it is understood Qiyaam, Qiraa'ah, Ruqu and Sujood." ('Hidaayah' volume 1 page 93)

Nevertheless neither is the final Qa'adah a fundamental constituent of Salaah nor are the supplications made therein essential for the Salaah to be complete. They have been stipulated solely as a mercy from Allaah Ta'ala. In other words, Allaah Ta'ala says that just as you have supplicated in accordance with My Desire, so too supplicate according to your desire.

The other supplications of "At-Tahiyyaat" (of the Qa'adah) **are not the purpose of Salaah but only a mercy that 'just as you have supplicated according to My Desire, now ask according to your desire.'**[1]

Second Wisdom:

Needs are of two types:

1. Specific
2. General

In the first case differences are most definitely likely to occur and the second is the same. The request for guidance made in Surah Faatihah is for the general needs of man whereas the supplications made in the final Qa'adah is for a person's

[1]This extract is not found in 'Ad-Daleelul Muhkam' but is in 'Towtheequl Kalaam'.

specific needs. Therefore wisdom dictates that each person should supplicate for his own personal needs.

Secondly, each person's specific needs are different; therefore, each person has been permitted to supplicate.

Why does the Imaam not supplicate in Janaazah Salaah exclusively?

Just as the Imaam recites Surah Faatihah alone in Salaah why does he not supplicate alone in Salaatul Janaazah? Why is it necessary for the Muqtadie to recite the supplication as well?

First Wisdom:

What supplications is the deceased in need of? The opinions of those participating in the Salaatul Janaazah will differ from person to person. Each person will think that the deceased is need in of something else and that is what he will supplicate for. For example, one person will regard the deceased as a sinner and therefore supplicate for his forgiveness whereas another will regard him as pious and supplicate that he attain Jannatul-Firdaus, another person might consider him to be one of the close friends of Allaah and supplicate for the pleasure of Allaah. This is why the Muqtadie has been asked to supplicate and not only the Imaam.Like this, each person may supplicate for the needs of the deceased according to his understanding.

In the same manner, the needs of the deceased might be understood to be different by each person.

Second Wisdom:

The number of people making intercession will be more. The difference is the same as one letter of request being written

with a thousand signatures and a thousand letters being written by each individual. The effect of both will be entirely different. This is why the supplication of Salaatul Janaazah – which is geniunely intercession on behalf of the deceased – is better if each person makes a separate intercession than one intercession, which is signed by each person.

Besides this, Salaatul Janaazah is not a supplication for oneself but for another, i.e. a form of intercession. It is obvious that in intercession abundance and profusion is more effective. Therefore, all will make the supplication of Salaatul Janaazah.

Discussion on the Hadeeth of Hadhrat Ubaadah

Two Ahaadeeth have been reported from Hadhrat Ubaadah , one in 'Bukhaari' and 'Muslim', which are unanimously agreed to be 'Saheeh':

لا صلوة لمن لم يقرأ بفاتحو الكتاب

"The Salaah of the one who does not recite Surah Faatihah is not valid."

This Hadeeth does not make the recitation of Surah Faatihah Waajib upon the Muqtadie but only highlights the relationship Surah Faatihah has with Salaah, the details of which were mentioned in the introduction.

The second Hadeeth reported from Hadhrat Ubaadah mentions that once Rasulullaah was performing Fajr Salaah and recitation became difficult for him. After the Salaah, Rasulullaah turned to the Sahabah and asked, "It seems that you people recite behind the Imaam?" The Sahabah replied that they did and Rasulullaah said:

فلا تفعلوا الا بام القران فانه لا صلوة لمن لم يقرأ بها

"Do not do that except for Surah Faatihah as there is no Salaah for the one who does not recite it."
('Tirmidhi' volume 1 page 41)

There are discrepancies regarding this Hadeeth; even though this Hadeeth might seem as if it establishes that the recitation of Surah Faatihah is Waajib upon the Muqtadie, there is doubt regarding the authenticity of this Hadeeth. **The reason for this is that there are eight discrepancies in its chain of narration and fifteen inconsistencies in the narration itself[1]. So how can substantiating from it be correct?**

As far as the Hadeeth of Hadhrat Ubaadah ↔ is concerned, which indicates that the recitation of Surah Faatihah is Waajib upon the Muqtadie, firstly there is doubt to its authenticity.

The most that can be said is that it is "Hasan": If the many different chains of narration are taken into account then the most that can be said is that it is "Hasan". After reporting this Hadeeth Imaam Tirmidhi ↦ states:

حديث عبادة حديث حسن

"The Hadeeth of Ubaadah ↔ is Hasan (not Saheeh)."

Secondly, if it is Hasan and then it is not Saheeh.

The Hadeeth of Hadhrat Ubaadah ↔ is abrogated

[1]For further details refer to 'Ma'aarifus Sunan' of Hadhrat Moulana Muhammad Yusuf Sahib Benori ↦, page 203 volume 3.

If this second Hadeeth of Hadhrat Ubaadah is regarded as "Saheeh", as is the opinion of some of the Muhadditheen, then one should bear in mind that it is abrogated, as then it would prove that the recitation of Surah Faatihah is Waajib upon the Muqtadie in audible Salaah as well as it is an incident that occurred in Fajr Salaah. This Hadeeth also indicates that the Muqtadie should recite along with the Imaam and that clashing with him in this regard is of no consequence. It is obvious that in this instance it will contradict the Verse:

وَإِذَا قُرِئَ الْقُرْاٰنُ فَاسْتَمِعُوا لَهُ وَأَنْصِتُوا لَعَلَّكُمْ تُرْحَمُونَ ۔

"When the Qur'aan is recited, then listen attentively to it *(stop talking)* and remain silent." (Surah A'raaf: 204)

If it contradicts this Verse then it would become essential to re-assess the Verse, the result of which is abrogation and in this instance it would be better to accept that the Hadeeth is abrogated then the other way around.

And if the opinion of some Muhadditheen is followed and this Hadeeth accepted as "Saheeh", then it would not contradict the Verse mentioned above. The Verse will then have to be re-interpreted or regarded as specific, the result of which is abrogation, which is impossible; however, regarding it as abrogated by the Verse is possible.

Since claiming abrogation without presenting proof does not satisfy the heart, two substantiations are made for its abrogation:

The first substantiation for the abrogation of the Hadeeth

Firstly, it should be understood that the laws pertaining to

various A'amaal were revealed overtime; as a result they remained upon the previous state until a law was revealed regarding it.

Further explanation of this is: various Ibaadat such as Salaah, Fasting, Zakaat and Hajj were not revealed all at once but were revealed slowly over time. **First Salaah and Zakaat were made Fardh, then Jihaad, then Fasting and finally Hajj.**

Similarly, the laws regarding them were not revealed all at once but slowly over time until it reached the present state. For example, wine was not made Haraam immediately, first its harms were highlighted[1]; then it was prohibited during the times of Salaah while it remained permissible during other times[2]; finally it was declared as absolutely Haraam[3].

The laws and amounts of Zakaat were also revealed slowly over time. The law of Zakaat itself had been revealed prior to Hijrat. Surah Mu'minoon, Surah Nahl, and Surah Luqmaan all mention the qualities of the Mu'mineen establishing Salaah and paying Zakaat. All three Surahs were revealed in Makkah, even though the amounts and rules of Zakaat had not yet been established. At that time Zakaat meant spending one’s wealth upon those in need. It was later, after Hijrat, that its rules were revealed.

The same goes for Fasting: in 'Abu Dawood', the Hadeeth of Hadhrat Muaadh ؓ is reported which mentions three changes in the state of Fasting.

Similarly, the laws of Salaah were slowly revealed until it reached the present state. The Hadeeth of Hadhrat Muaadh bin

[1]Surah Baqarah: 219
[2]Surah Nisaa: 43
[3]Surah Maa'idah: 90

Jabal reported in 'Abu Dawood' also mentions three changes that took place in Salaah:

1. Performance of Salaah with congregation was established and Adhaan established for it.
2. The method in which latecomers should join the Salaah and then complete the Raqaats that they missed was established.
3. The matter of the Qiblah was established.

In addition, Salaah was intitially read at three times, later, performance of five Salaah was revealed. At first, all Fardh Salaah comprised of two Raqaats, thereafter all others, with the exception of Fajr, were increased to four Raqaats. In the early years, greeting another and talking in Salaah was permitted, it was then prohibited after the following verses were revealed:

حَافِظُوا عَلَى الصَّلَوٰاتِ وَالصَّلٰوةِ الْوُسْطٰى وَقُومُوا لِلّٰهِ قٰنِتِينَ۔

*"Strictly guard your Salaahs (perform them at their correct times), especially the middle one (the Asr Salaah) and **stand humbly (obediently and silently) before Allaah**."*
(Surah Baqarah: 238)

At first the hands used to be lifted in many postures of Salaah, it was later reduced to just one. In essence, changes occurred in Salaah as well.

After pondering over this one comes to the conclusion that the postures of Salaah were taught first, wherein those aspects that break Salaah were allowed (such as talking and greeting, etc.) and these acts were subsequently done away with.

After understanding this discussion, one should bear in mind that Salaah has two conditions:

1. In relation to its length, i.e. the constituents of one Raqaat.

2. In relation to its width, i.e. what the Salaah of the Imaam and Muqtadie comprises of.

Just as the condition of Salaah in the first instance changed over time until it reached the present state, so too did it change in the second condition, as we will soon highlight.

In the first stage: Both the Imaam and the Muqtadie used to recite Surah Faatihah and the Surah that followed. It is reported in 'Tirmidhi':

مفتاح الصلوة الطهور و تحريمها التكبير و تحليلها التسليم و لا صلوة لمن لم يقرأ بالحمد و سورة فى فريضة او غيرها

The key to Salaah is purity and its beginning Takbeer-Tahreemah; that which concludes it is Tasleem and the Salaah of the person who does not recite Surah Faatihah and a Surah thereafter is not valid."
('Tirmidhi' page 32, 'Ibn Maajah', 'Ibn Abi Sahibah', 'Ibn Raahuway')

A apparent glance at this Hadeeth will inform one that the instruction given in this Hadeeth was made at that time when the postures of Salaah were being taught as the essential components of Salaah are being mentioned here which indicate that it is the early years of Salaah. At that time, Surah Faatihah and a Surah were incumbent upon the Imaam and Muqtadie.

The second stage: The second stage of teaching Salaah began and the Muqtadie was no longer required to recite a Surah after Surah Faatihah and the Imaam was described as the person deputed by Allaah Ta'ala, thus the responsibility of reciting the Surah became his, as the recitation of the Surah is the reply from Allaah to the request for guidance made in Surah Faatihah and since Allaah Ta'ala is One, the reply given by the Imaam

was considered as sufficient for all. However, since the request made in Surah Faatihah is a request made by the servants and they can be many, it was considered difficult for one Imaam to represent them all. The Hadeeth of Hadhrat Ubaadah was of this stage, which prohibits the recitation of everything except Surah Faatihah.

The third stage: The responsibility of the Imaam increased and he was now considered the deputy of all because when he could act as the deputy of Allaah then what difficulty is there in being the deputy of the Muqtadie? If the requests of the Muqtadies were different then it might have been difficult but since their general needs are the same, i.e. they all require Hidaayat, then what difficulty is there in him acting on behalf of all?

Claiming abrogation without proof does not satisfy the heart, therefore I would like to say that just as various laws were revealed over time, i.e. Salaah and Zakaat first, then Jihaad, then Fasting and lastly Hajj, so too were the laws regarding them revealed slowly over time – especially Salaah. The Hadeeth of Hadhrat Muaadh bin Jabal, reported in 'Abu Dawood' regarding the changes that occurred in Salaah corroborates this. At first, Salaam and talking was permissible and then prohibited because of the Verse, "Stand humbly (obediently and silently) before Allaah."

After pondering over this we see that, just as when building a house the materials are first collected, cement, wood, bricks, etc. and there is no sequence that would be required while building when collecting them, such that, at times, the materials for the roof is purchased before the materials required for the foundation, so too were the essential components of Salaah first perfected and then,

once all the laws were revealed, certain aspects prohibited.

However, just as there are various stages in relation to the length of Salaah, so are there various stages in relation to the width of Salaah, (i.e. what the Salaah of the Imaam and Muqtadie comprises of). Before the condition of Salaah was completed, the order in the first stage was that Salaah is not valid except with Surah Faatihah and another Surah (which can be found in 'Tirmidhi' and other books of Hadeeth). When the next stage began, the incumbency to recite the Surah fell away from the Muqtadie and the Imaam, considered as the deputy of Allaah, was now responsible for it because the actual purpose of reciting the Surah is to reply the request of "Guide us to the straight path". Thus the Surah recited thereafter is considered as a reply from Allaah Ta'ala and since Allaah is One, one deputy was seen as sufficient. Furthermore, since Surah Faatihah was a request from the servants, which can be many, it was seen as difficult to appoint one Imaam as deputy of all, which is why the Hadeeth of Hadhrat Ubaadah **specifically prohibits recitation with the exception of Surah Faatihah.**

Thereafter, the status of the Imaam was elevated and he became the deputy of the Muqtadie as well and why not? When he has already become the deputy of Allaah then what difficulty is there in him being the deputy of His servants? If their needs were different then, as their deputy, to put forward all their request at one time would be difficult but when their requests are one, and all have the same need, then what difficulty is there?

Proof that the Imaam is deputy of both: The fact that the

Imaam has been awarded the position to stand before the Muqtadie is proof itself that he is deputy of both. In other words, the precedence given to him to stand ahead of others in rank.

This is the reason why he has been awarded the position between the Muqtadie and the Qiblah so that he can act as a liaison between them. It is this position between them that proves he is the deputy of both.

Proof that the Imaam is the deputy of the Muqtadie: The Imaam being the deputy of Allaah is a matter in which there is Ijmaa (consensus) and is accepted by all. The difference is regarding whether he is the deputy of the Muqtadie as well – even though it is closer to logic that he be the deputy of the Muqtadie then the deputy of Allaah as the Imaam leads the Muqtadie in the postures of Salaah (doing it with them) even though it is Fardh on them and not on Allaah. If the Imaam were only the deputy of Allaah then why is he required to lead the Muqtadies into Ruqu and Sajdah?

Because the Imaam performs the acts of Sajdah and Ruqu with the Muqtadie, it stands more to reason that he is the deputy of the Muqtadie.

The Verse revealed regarding this third stage of Salaah and the Ahaadeeth pertaining to it are as follows:

1)

وَإِذَا قُرِئَ الْقُرْآنُ فَاسْتَمِعُوا لَهُ وَأَنْصِتُوا لَعَلَّكُمْ تُرْحَمُونَ

"When the Qur'aan is recited, then listen attentively to it (stop talking) and remain silent." (Surah A'raaf: 204)

This Verse was revealed to emphasize that one should not recite the Qur'aan behind the Imaam; Imaam Ahmed ↦ has

reported that there is Ijmaa[1] (consensus) on this.

In essence, this Verse was revealed and moulded Salaah into its final state: whether the Imaam recites audibly or silent, the Muqtadie is to listen attentively and remain silent.

2) Hadeeth 1:

Five Sahabah have narrated that Rasulullaah said:

من كان له امام فقراءة الامام له قراءة

"Whoever performs Salaah behind the Imaam, the recitation of the Imaam is recitation for him."[2]

This has been reported from various Sahabah with different chains of narration. Imaam Muhammad ↦ has reported this in 'Muwatta Imaam Muhammad' with the following chain of narration:

اخبرنا ابوحنيفة قال حدثنا ابو الحسن موسى بن ابى عائشة عن عبدالله بن شداد بن الهاد عن جابربن عبدالله عن النبى صلى الله عليه و سلم انه قال من صلى خلف الامام فان قراءة الامام له قراءة

"Whoever performs Salaah behind the Imaam then verily the recitation of the Imaam is recitation for him."

This chain of narration is "Saheeh" according to the conditions of Imaam Bukhaari ↦ and Imaam Muslim ↦ (i.e. it is authentic and unblemished).

3) Hadeeth 2:

Imaam Muslim ↦ has reported in 'Saheeh Muslim' from

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[1] 'Nasbur Raayah' volume 2 page 14

[2] Refer to 'Nasbur Raayah' volume 2 page 6-12

Hadhrat Abu Moosa Ash'ari that Rasulullaah said:

اذا قرأ فانصتوا

"When the Qur'aan is recited, remain silent."[1]

3) Hadeeth 4:

Imaam Tahawie ↦ has reported in 'Sharah Ma'aaniyul Aathaar' from Abu Khaalid Ahmar, with a sound chain, from Hadhrat Abu Hurairah that Rasulullaah said:

انما جعل الامام ليؤتم به فاذا قرأ فانصتوا

The Imaam has been appointed so that he may be followed so when he recites then remain silent."[2]

Imaam Muslim ↦ also regarded this Hadeeth as Saheeh. This Verse and these Ahaadeeth all relate to the third stage of Salaah.

At this time the Hadeeth, "Whoever performs Salaah behind the Imaam", etc. and the Verse "When the Qur'aan is recited, then listen attentively" were revealed.***And Allaah knows best.***

Question: It has been stated that first the Imaam was only the deputy of Allaah and then his status was elevated and he became the deputy of the Muqtadie. This is not elevation but degradation.

Answer: This would only be true if he no longer was the deputy of Allaah and was now only the deputy of the Muqtadie – since he remains the deputy of Allaah and has now become

[1] 'Page 178 volume 1
[2] Page 128 volume 1

the deputy of the Muqtadie as well, then it is most certainly elevation. Just as when the status of Ambiyaa is elevated and not degraded when they, who came as the deputies of Allaah, relayed the message of their Ummat back to Allaah and thus became deputies of their Ummat.

However after this ascension, which being the deputy of Allaah suggests, the descension, which being the deputy of the Muqtadies suggests is exactly the same as the Ambiyaa who came first as the deputies of Allaah and then when presenting the requests of their Ummat to Allaah became their deputies.

The second substantiation for the abrogation of the Hadeeth

It was mentioned in the first substantiation for the abrogation of the Hadeeth that, in the second stage of Salaah, when Salaah began being performed in congregation, then Allaah Ta'ala abrogated the compulsion of reciting another Surah for the Muqtadie. The compulsion of reciting Surah Faatihah still remained, which was then also ended in the third stage.

It can also be said that when Salaah began being performed in congregation during the second stage and reciting a Surah behind the Imaam was abrogated and became no longer compulsory on the Muqtadie, then Rasulullaah kept the recitation of Surah Faatihah compulsory according to his discretion for the following reasons:

Since recitation of the Surah was a reply from Allaah then only one would understand why the Imaam can be the deputy of Allaah but since Surah Faatihah is a request of every person,

the Imaam acting as a deputy of all did not make sense.

1. Since Surah Faatihah comprises of praise for Allaah it resembles Thanaa.

In essence, two conditions are present in Surah Faatihah:

- Firstly, since it is a common request of all, one person should make it just as a group chooses one person to put forward their request before the governor.

- Secondly, the fact that everyone's needs are different and that Surah Faatihah resembles Thanaa, which necessitates each person recite it.

The second aspect was more apparent and the order, "Salaah is not valid without the recitation of Surah Faatihah" was also present, which emphasized the importance of Surah Faatihah and no clear order, had been revealed regarding the Muqtadie. As a matter of caution Rasulullaah maintained that the Muqtadie recite Surah Faatihah until a clear instruction is revealed. The Hadeeth of Hadhrat Ubaadah has the exception of Surah Faatihah and the reason given for this exception is "Salaah is not valid without it".

In summary, the incumbency of the recitation of Surah Faatihah, which existed in the first stage, was maintained by Rasulullaah, as mentioned in Hadhrat Ubaadah's Hadeeth, by Ijtihaad and was not an order of Allaah Ta'ala. **Since the Ambiyaa can be incorrect in matter of Ijtihaad but not left upon their error, the Verse was revealed, "When the Qur'aan is recited, then listen attentively to it and remain silent" and the matter settled.**

Or one can say that the additional Surah is on behalf of

the One and Only Allaah Ta'ala and Surah Faatihah is the request of each individual, without considering that it resembles Thanaa in its content, if one considers that one person puts forward the request on behalf of a group to the governor. When one person should make the request then one has to consider the condition of the many people making different requests; it would make more sense for each person to recite Surah Faatihah on his own. Already the order existed, "Salaah is not valid without the recitation of Surah Faatihah" and no clarification had been revealed with regards to the Muqtadie, so caution dictated that Rasulullaah ﷺ order the Muqtadie to also recite Surah Faatihah until clarification is revealed by Allaah Ta'ala. This is why Rasulullaah ﷺ explained the precaution behind this exception to be "Salaah is not valid without it".

Which substantiation of abrogation was better?

Both these substantiations of abrogation are good and one can choose whichever one likes. However, from a Deeni point of view the second is better, as then there will be no contradiction between the laws and abrogation will not be incumbent upon Allaah, forcing one to face the difficulty that even though abrogation is permissible, it is not preferred and it should be avoided. In the second instance, if there is contradiction then it is between a rule based upon discretion (Ijtihaad), out of caution, which is no serious matter. In other words, the law of the Verse is the ruling of Allaah and the ruling mentioned in the Hadeeth of Hadhrat Ubaadah was the ruling of Rasulullaah ﷺ made based upon Ijtihaad out of caution. Thus, if there is contradiction, then it is between the Verse and the cautionary ruling.

From the two explanations, a person can choose

whichever he prefers, but the final explanation is more appropriate with regards to Deen as in this case there will be no contradiction between the laws of Deen. If there is any contradiction then it is with a cautionary ruling. In this case, abrogation of Allaah's laws will not become incumbent which, even though permissible, is not preferred and it is better to avoid.

A Hadeeth cannot contradict a Verse: Reqardless of whichever substantiation you prefer, the ruling becomes clear, and the meaning of abrogation becomes visible. If this were not the case then it would be incumbent to practice on the Verse and discard the Hadeeth, as a Hadeeth cannot contradict the Qur'aan. The Verse of the Qur'aan will always be weightier than Hadeeth and in times of contradiction the Hadeeth will not be practiced upon. In fact, aside from this Hadeeth(which is either Dhaeef or Hasan) even the other Hadeeth of Hadhrat Ubaadah which is Saheeh cannot be practiced upon over this Verse.

Now this does not mean that a Saheeh Hadeeth and Qur'aan contradict each other; rather, it means that it is generally impossible that the time of both orders are the same that would result in such a contradiction. If there appears to be a contradiction then the times that both orders were issued were most definitely different.

However, whichever substantiation is taken the ruling becomes clear and the meaning of abrogation visible. Whereas in opposition to this Verse, let alone this Hadeeth, even the Hadeeth: "Salaah is not valid without the recitation of Surah Faatihah" (the narration of 'Bukhaari' and 'Muslim') **also cannot be practiced upon. This does not mean that Saheeh Hadeeth now contradicts the Qur'aan but rather that the time of both orders are generally different. It is never such that the times of both**

orders are one, resulting in Hadeeth contradicting the Qur'aan. The purpose of this is that even if this Hadeeth did contradict the Qur'aan then, in relation to the Qur'aan, it would have to be discarded.

The Hadeeth of Hadhrat Ubaadah reported in 'Bukhaari' and 'Muslim' does not contradict the Qur'aan

The Saheeh Hadeeth of Hadhrat Ubaadah, namely: "Salaah is not valid without the recitation of Surah Faatihah" **does not contradict the Qur'aan because it only highlights the relation Surah Faatihah has with Salaah.** It means that one Salaah requires Surah Faatihah to be recited in it and you have already read that the length of one Salaah is one Raqaat, therefore Surah Faatihah is required in each Raqaat, and the Salaah of the Imaam and Muqtadie is one, so Surah Faatihah should be recited once in their Salaah as well.

In actual fact this Hadeeth does not contradict the Qur'aan; this Hadeeth means that recitation of Surah Faatihah is required once in each Salaah and the length of one Salaah is one Raqaat and therefore Surah Faatihah needs to be recited in each Raqaat and the Salaah of the Imaam and Muqtadie is one so, there too, Surah Faatihah should only be recited once
(which is done by the Imaam).

Hadhrat Ubaadah's second Hadeeth also does not contradict the Qur'aan

As far as the second Hadeeth of Hadhrat Ubaadah goes (which is either Dhaeef or Hasan) it mentions that the Muqtadie should recite Surah Faatihah.**Even if it apparently seems to contradict the Qur'aan, in reality it does not.This is because**

eight things need to be the same in order for there to be a contradiction:

1. The subject of two qualities needs to be the same, thus the sentence ‘Hasan is standing and Hussein is sitting’ is not contradictory.
2. The object of two qualities needs to be the same, thus the sentence ‘Rasheed is standing and Rasheed is not sitting’ is not contradictory.
3. The place where the matter occurs needs to be the same, thus the sentence‘Waheed is in the Masjid and Waheed is not in Marketplace’ is not contradictory.
4. The condition needs to be the same, thus the sentence‘If the sun rises then the day will begin but if the sun does not rise then the day will not begin’ is not contradictory.
5. The attached noun needs to be the same, thus the sentence‘Zaid is a graduate (of this Madressa) and not a graduate (of that Madressa)’ is not contradictory.
6. The implication of both qualities need to be the same, thus the sentence‘this room is white (i.e. its floor is white) and this room is not white (i.e. it is incomplete)’ is not contradictory.
7. There must be no difference in the ability and true nature, thus the sentence‘Hameed is an Aalim (has the ability to be an Aalim) and Hameed is not an Aalim (he is not truly an Aalim)’ is not contradictory.
8. The time when the verb occurs must be the same, thus the sentence‘Anees studies (during the day) and Anees does not study (during the night)’ is not contradictory.

Since the Hadeeth of Hadhrat Ubaadah refers to the second stage of Salaah and the Verseof Qur’aan refers to the third stage of Salaah, thus the time of both is different, then

there is no contradiction. As far as the Hadeeth reported in 'Bukhaari' and 'Muslim' is concerned, as mentioned previously, its implication does not contradict the Verse.

In essence, the Hadeeth of Hadhrat Ubaadah which seems like it is contradicting the Qur'aan, but actually because of the difference of time, which is easily noticeable by one having sound intellect, is not contradictory. Because in order for something to be contradictory the time that both occur needs to be one, which is of the eight conditions needed for something to be contradictory. The Hadeeth, "Salaah is not valid without the recitation of Surah Faatihah" also does not contradict the Verse of the Qur'aan as its implication is different, which is apparent.

The Verse of the Qur'aan "Recite that of the Qur'aan" is directed to the Imaam and Munfarid only

Regarding the Verse, "Therefore, recite (only) that of the Qur'aan which is easy", one might erroneously think that the order is general and is directed at the Muqtadie as well.This is why it needs to be clarified that it is directed only at the Imaam and the Munfarid as they truly possess the quality of Salaah. The Muqtadie is not being addressed so he does not need to be mindful of the exception of the Hadeeth as he is attributed with the quality of Salaah through the Imaam.

Further explanation of this is that all are in agreement that this Verse is directed towards the "Musallee" (one performing Salaah), which refers to the quality of Salaah, and the rule is that a word which refers to a quality will, in actual fact, refer to the one attributed with that quality himself (Mowsoof bith Dhaat). Thus, "Musallee" (one performing Salaah) will refer to that person attributed with the quality of Salaah himself

(Mowsoof bith Dhaat) and not the one attributed with the quality by default (Mowsoof bil Ardh). You have already learnt that it is the Imaam and Munfarid who are attributed with the quality of Salaah themselves (Mowsoof bith Dhaat) whereas the Muqtadie is attributed with it through the Imaam (Mowsoof bil Ardh). Therefore, the Verse will be directed to the Imaam and Munfarid only and not the Muqtadie.

However, the contradiction with the Verse, "Therefore, recite (only) that of the Qur'aan which is easy" still remains. In order to resolve this I would like to say that Qiraa'ah in Salaah is meant here and based on what I have said previously, it will refer to the Musallee attributed with the quality of Salaah in himself, therefore the Verse will only refer to the Imaam and Munfarid and no one else. Why should it? The preceding and following parts of the Verse indicate that the Verse is directed towards the Musallee, and one who is truly a Musallee is the one attributed with the quality of Salaah himself. The one having the quality of Salaah by default will be the alternate implication, as he is not attributed with the quality of Salaah himself. In this instance, the Muqtadie is not referred to in this Verse in the first place necessitating that he be removed.

The Muqtadie is not truly a Musallee

First Proof:

The ruling is that if the Muqtadie joins the Salaah while the Imaam is in Ruqu then that Raqaat will be regarded as complete. This is unanimously agreed upon and even those who state that the recitation of Surah Faatihah is Waajib upon the Muqtadie agree that the Raqaat is complete even if he did not recite Surah Faatihah. **This ruling is proof that the Muqtadie is not truly a Musallee as how can his Salaah be complete**

without the recitation of Surah Faatihah? Because when he is not truly a Musallee then he is not addressed in the Verse, "Therefore, recite (only) that of the Qur'aan which is easy".

In fact, the person who joins the Salaah while the Imaam is in Ruqu is unanimously absolved of this. The reason for this is that, in reality, the Muqtadie is not a Musallee. Therefore, only the Imaam and Munfarid are addressed in the Verse, "Therefore, recite (only) that of the Qur'aan which is easy."

Second Proof:

The ruling is that if the Muqtadie finds the Imaam in Ruqu then he is absolved of the Fardh of Qiyaam and should say the Takbeer Tahreemah and proceed straight to join the Imaam in Ruqu[1].

This ruling is proof that the Muqtadie is not truly a Musallee because, since Qiraa'ah is not Waajib upon him, so is Qiyaam is not Fardh upon him, as Qiyaam has been made Fardh because of the Qiraa'ah. Since he is not required to make Qiraa'ah, Qiyaam is of no benefit to him. If he was truly a Musallee how is it possible for him to be absolved of one of the compulsory acts of Salaah?

[1]However, one should bear in mind that part of the conditions of Takbeer Tahreemah is that it is performed while standing (in Qiyaam), in other words, he must say the Takbeer Tahreemah while standing before proceeding into Ruqu, then only will it be correct. If he says the Takbeer Tahreemah while proceeding into Ruqu then it is incorrect and his Salaah invalid as well. In summary, the Qiyaam of Salaah might fall away from this Muqtadie but the Qiyaam of Takbeer Tahreemah is still necessary. ('Imdaadul Fatawa' volume 1 page 193)

This is the same reason that Qiyaam is not Fardh on him because Qiyaam is required on account of the Qiraa'ah and since he is not required to make Qiraa'ah nor is he directed to do so, Qiyaam is of no benefit to him.

Question: If the Muqtadie is absolved of Qiyaam because he is not truly a Musallee then why is he still required to make Qiyaam in the other Raqaats?

Answer: He is required to make Qiyaam in the other Raqaats because it is a requirement of presenting oneself before Allaah Ta'ala and not a requirement of Salaah. In other words, when he is present before Allaah Ta'ala to present his request and listen to the reply then the correct etiquette is to stand while doing so.

As far as Qiyaam being compulsory in the other Raqaats is concerned, then this is because of presenting oneself before Allaah and not because it is a requirement of Salaah.

Incorrect interpretation: Some people have interpreted that the reason why the Muqtadie is absolved of Qiyaam is because of the principle:

للاكثر حكم الكل

'Performance of the majority results in the act being complete.'

In other words, from the three compulsory acts (Qiyaam, Ruqu and Sajdah) two were carried out (Ruqu and Sajdah) so therefore the Raqaat is regarded as complete.

Firstly, there is no need for such an interpretation. Secondly, this interpretation is questionable because, according to this principle, if a person performs Qiyaam, Ruqu and one Sajdah then the Salaah is supposed to be valid as the majority has been performed but the Salaah is still incomplete. The

correct interpretation is what we have mentioned because the Muqtadie is in reality not a Musallee and therefore not required to make Qiraa'ah and since he is not required to make Qiraa'ah, Qiyaam is not Fardh on him.

Thereafter, there is no need for the interpretation that performance of the majority results in the act being complete, that the performance of two Fardh is sufficient. Because if this were the case then Qiyaam, Ruqu and one Sajdah should also be sufficient and in a similar manner Salaah should be complete with Qiyaam and two Sajdahs.

This interpretation that the Verse, "Therefore, recite (only) that of the Qur'aan which is easy" only refers to the Imaam and Munfarid and not the Muqtadie is an excellent interpretation and through it the contradiction of the two verses is ended. In other words, the apparent contradiction between the Verse, "When the Qur'aan is recited, then listen attentively to it (*stop talking)* and remain silent" and the Verse, "Therefore, recite (only) that of the Qur'aan which is easy", where the first Verse indicates that the Muqtadie should remain silent and the second indicates that it is Waajib for him to recite the Qur'aan, will be resolved. The reason being that the first Verse will be directed to the Muqtadie and the second Verseto the Imaam and Munfarid.

This interpretation also replies the objection that it is impermissible to restrict the meaning of the Verse, "Therefore, recite (only) that of the Qur'aan which is easy" with the Hadeeth "Whoever performs Salaah behind the Imaam then the recitation of the Imaam is recitation for him" because the Hadeeth is doubtful in its purport and therefore cannot restrict the meaning of a Verse of the Qur'aan, which, in actual fact, is a form of abrogation. This entire objection will have no bearing as then the meaning of this Verse will not be restricted, as it was never directed to the Muqtadie in the first place.

Then no contradiction will remain between the two verses nor will the objection that a Hadeeth whose purport is weak was used to restrict the meaning of a Verse have any bearing as then it will be directed to the Imaam and Munfarid only.

The Second Interpretation of the Verse

We have mentionedthe best interpretation of the Verse, "Therefore, recite (only) that of the Qur'aan which is easy" previously, however, another interpretation is also possible:

The Verse, "Therefore, recite (only) that of the Qur'aan which is easy" is specific and not general since the Muqtadie is excluded from its directive thus becoming "Makhsoos minhul Ba'ath", which is weak in its purport. So whatever restriction took place occurred in those to whom it was directed and not in the directive itself.

Further explanation of this is that Verse comprises of:

1. Firstly, the act of recitation and
2. Secondly, those whom it is directed to, i.e. the personal pronoun you all (انتم).

The directive of the Verse, i.e. to recite, is specific and certain and establishes the necessity to recite the Qur'aan. The order of recitation is not general nor is any form of restriction permitted in it, as restriction to it would mean that it is Fardh in some instances and not Fardh in others, which is not the case as wherever there is recitation it is Fardh.

As far as to whom the directive is directed is concerned then it is obvious that this Verse is general; referring to the Imaam, Muqtadie and Munfarid. However, the Hadeeth:

"Whoever performs Salaah behind the Imaam then the recitation of the Imaam is recitation for him" has restricted (made Takhsees) of the number of people it is directed to and now it refers to the Imaam and Munfarid only and not the Muqtadie. If this Verse has now become "Makhsoos minhul Ba'ath" then it is not serious, as the restriction has occurred to the number of people it is directed to and not the directive itself.

Even though a reply to this objection can be that the Verse is specific to its directive but "Makhsoos minhul Ba'th" with regards to whom it is directed to, so even if its purport was changed from one of certainly to uncertainty then it was only with regards to whom it is directed to and not in its directive.

Objection: If anyone objects to this second interpretation by saying that since the Verse was first general with regards to whom it was directed and then made specific with the Hadeeth (excluding the Muqtadie from it) now becoming "Makhsoos minhul Ba'ath", which is uncertain in its purport, then how can Qiraa'ah be proven to be Fardh on the Imaam and Muqtadie using this Verse, as a directive which is uncertain in its purport

cannot prove something to be compulsory?[1]

Answer: The Verse establishes compulsion of Qiraa'ah for the Imaam and Muqtadie as a matter of caution just as the Hadeeth of hunting established Hurmat (prohibition) as a matter of caution.

Further explanation of this is that a directive that is firmly proven with an uncertain purport does, in actual fact, establish an act to be Waajib. However, as a matter of caution with regards to the Imaam and Muqtadie it is established to be Fardh as there is no proof that indicates that they are not required to recite.

An example of this is the Hadeeth on hunting, in which Rasulullaah said:

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[1]**Directives are of four types with regards to what they prove and establish and the laws governing them are different, which are as follows:**
1) Firmly proven with a certain purport: These are those verses of the Qur'aan and Mutawaatir Ahaadeeth which have no possibility of alternate interpretation.
2) Firmly proven with an uncertain purport: These are those verses of the Qur'aan and Mutawaatir Ahaadeeth which have the possibility of alternate interpretation.
3) Not firmly proven but certain in purport: These are those Khabar Wahid that do not have any possibility of alternate interpretation.
4) Not firmly proven with an uncertain purport: These are those Khabar Wahid that have the possibility of an alternate interpretation.

The first provides certainty and can prove an act to be Fardh to carry out or Haraam to perpetrate.
The second and third has a less certainty and can therefore prove an act to be Waajib to carry out or Makruh Tahreemi to perpetrate.
The fourth can prove an act to be Sunnat or Mustahab to carry out and Makruh Tanzeehi to perpetrate.

ان شارك كلبك كلب اخر فلا تأكل فانك انما سميت على كلبك و لم تسم على كلب غيرك

If another dog assists your dog in hunting the prey then do not eat from it as you recited Tasmiyah upon your dog and not on the other." ('Bukhaari', 'Muslim')

This Hadeeth is Khabar Wahid or at most Mashoor but nevertheless not firmly proven and, according to the rule, should not prove Hurmat (prohibition) but only Makruh Tahreemi, however, as a matter of caution its consumption has been decreed to be Haraam. The author of 'Hidaayah' writes in the chapter of hunting:

لانه اجتمع المبيح والمحرم فتغلب جهة الحرمة نصا او احتياطا

"Because permissibility has coincided with prohibition, prohibition will be weightier based upon the Hadeeth or as a matter of caution." ('Hidaayah' volume 4 page 492)

In other words, a trained hunting dog necessitates that the meat be Halaal and the untrained dog would necessitate that the meat be Haraam and since they both hunted together, then either the Hadeeth[1] will be given preference or as a matter of caution it will deemed Haraam.

Just as Hurmat was proven as a matter of caution here, so will the Verseprove Qiraa'ah to be Fardh for the Imaam and Munfarid as a matter of caution because if Hurmat can be established as a matter of caution then why can compulsion not be?

So just as the Hadeeth of hunting as a matter of caution

[1] **Hadeeth here refers to the Hadeeth of Hadhrat Ibn Mas'ood that whenever Halaal and Haraam clash then Haraam will be weightier. 'Nasbur Raayah'**

proves the meat to be Haraam, in which another dog partook in the hunt, so will Qiraa'ah be Fardh upon those who are not exempt from Qiraa'ah by any proof. If Hurmat can be established as a matter of caution, why can compulsion not be?

Summary: All praise belongs to Allaah! Now it has been proven that the Verse, "Therefore, recite (only) that of the Qur'aan which is easy" does not contradict the Verse, "When the Qur'aan is recited, then listen attentively to it (*stop talking)* and remain silent".

The first Verse is directed only to the Imaam and Muqtadie and the second Verseis only directed to the Muqtadie.

It has also become clear that the Hadeeth, "Salaah is not valid without the recitation of Surah Faatihah" and other Ahaadeeth like it do not contradict the Verse, "When the Qur'aan is recited, then listen attentively to it *(stop talking)* and remain silent."

If there is any apparent contradiction then it is only with the other Hadeeth of Hadhrat Ubaadah ؓ and the Verse. However, we have explained earlier that the Hadeeth took place first and the Verse revealed later and therefore the Hadeeth is Mansookh and it is better that we say that the Hadeeth occurred first and the Verse revealed later.

In essence, there is no contradiction between the two verses neither between the Verse and the Hadeeth, "Salaah is not valid without the recitation of Surah Faatihah" and other Ahaadeeth like it that indicate that the recitation of Surah Faatihah is Waajib. Yes! If there is any contradiction then it is between the Hadeeth of Hadhrat Ubaadah ؓ and the Verse. However, based upon what we have said earlier, the Hadeeth occurred first and

the Verse revealed later and to say the Hadeeth was first and the Verse later is better.

The Verse was revealed after the Hadeeth

There are many indications that the Verse, "When the Qur'aan is recited, then listen attentively to it (*stop talking)* and remain silent" was revealed after the Hadeeth of Hadhrat Ubaadah .

1. Sound intellect concludes that this is what happened.
2. There are discrepancies in the Hadeeth.
3. The actions of those who regard its recitation as compulsory for the Muqtadie with this Verse.

The explanation of the third indication is that those who regard the recitation of Surah Faatihah as Waajib for the Muqtadie, such as Hadhrat Abu Hurairah from the Sahabah and Imaam Shaafie ↦ from the Aimah, did not turn a blind eye to this Verse. Hadhrat Abu Hurairah states that as a result of this Verse the Muqtadie must not recite Surah Faatihah while the Imaam recites but recite when the Imaam pauses between verses and in this manner complete the recitation of Surah Faatihah[1]. The scholars of the Shaafie Madhab have stated that the Imaam should remain silent after reciting Surah Faatihah so that the Muqtadie may then recite it[2].

[1]Hadhrat Abu Hurairah did not make this ruling for the Muqtadie to recite between the pauses of the Imaam but he said that the Muqtadie should recite in his heart, i.e. ponder over the meaning of each Verse.

[2]We have discussed the views of the four Madhaahib in the introduction.

It is clear that Imaam Shaafie ↦only regarded the recitation of Surah Faatihah to be Waajib in silent Salaah and not in Audible Salaah. It being Waajib in Audible Salaah as well is the view of the later Shaafie scholars

It is obvious that these two opinions are out of necessity; they were forced to decree this on account of the Verse, as it is not mentioned in any Hadeeth. In Hadeeth there is only one long pause that is proven and that is the pause after Takbeer Tahreemah before recitation begins, which is to recite Thanaa.[1]

Nevertheless,if this ruling of their scholars is not so that they can act upon this Verse then what is the reasoning behind it? This proves that the Verse was revealed after the Hadeeth because those who claim that recitation of Surah Faatihah is Waajib on the Muqtadie are also anxious to practice upon it.

There are discrepancies in this Hadeeth. We see that those who claim that it is Waajib for the Muqtadie to recite Surah Faatihah are also not negligent in practicing on this Verse. Hadhrat Abu Hurairah from the Sahabah and Imaam Shaafie ↦ from the Fuqahaa, who are more extreme in the Muqtadie reciting Surah Faatihah, yet Hadhrat Abu Hurairah says that the Muqtadie should only recite when the Imaam pauses and we find the Shaafie scholars remaining silent for a long time after the recitation of Surah Faatihah, during which time the Muqtadie recites Surah Faatihah. So if this reciting between the pauses of the Imaam and establishing a long pause after Surah Faatihah has been recited is not out of necessity then what is the reasoning behind it? Any Hadeeth does not corroborate these two conditions. So if this stance was not adapted to act on the Verse then why was it?

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so the ruling that the Imaam must remain silent is also their ruling and not of Imaam Shaafie ↦. It is impossible to fathom that Imaam Shaafie ↦would say something so farfetched.

[1]Refer to 'Badhlul Majhood' volume 2 page 5

So now, what is best?

When the Verse, "When the Qur'aan is recited, then listen attentively to it (*stop talking)* and remain silent" is considered compulsory to act upon even by those who regard the recitation of Surahs Faatihah as Waajib for the Muqtadie and their manner in practicing upon it is unreliable then it is better to act upon the Hadeeth of Hadhrat Jaabir :

من كان له امام فقراءة الامام له قراءة

"Whoever performs Salaah behind the Imaam, the recitation of the Imaam is recitation for him"

As well as other Ahaadeeth of the same meaning because acting on the words of Rasulullaah is better than acting upon the stipulations of scholars.

The condition stipulated by those who view the recitation of Surah Faatihah by the Muqtadie as Waajib also indicates that the Verse is Waajib to practice upon and what they have stipulated is also not reported. So in this case it will be better to resort to the Hadeeth, "Whoever performs Salaah behind the Imaam, the recitation of the Imaam is recitation for him". Practicing upon it is better than the stipulations of others.

The Hadeeth of Hadhrat Jaabir Why should resorting to the Hadeeth of Hadhrat Jaabir not be better when there are many other Marfoo'a Ahaadeeth reported just like it? For example, the Hadeeth of Hadhrat Abu Moosa Ash'ari in 'Muslim'[1] and Hadhrat Abu Hurairah in 'Tahawie'[2] with an

[1] Page 174 volume 1
[2] Page 128 volume 1

excellent chain of narration. If one will be satisfied with just this Hadeeth of Hadhrat Jaabir then one should know that it is narrated in two manners:

1. Marfoo'a
2. Mowqoof

If there are discrepancies with the Marfoo'a narration then too it is of no consequence as its meaning is corroborated by other narrations and this is even better than the chain being corroborated by others, as will be explained towards the end of the book.

There is no discrepancy in the Mowqoof narration.

Then, at the same time that the Hadeeth, "Salaah is not valid without the recitation of Surah Faatihah" became famous, it is impossible that Hadhrat Jaabir would say this of his own accord or discretion and not have heard it from Rasulullaah , so this Hadeeth has the same status as a Marfoo'a Hadeeth. Even if we were to accept that he said this of his own discretion then too it is worthy of being written in gold as it’s meaning is corroborated by other narrations, the details of which you have been reading to this point.

And why not? In the first place this Hadeeth can be found with a Marfoo'a chain of narration, as is present in the 'Muwatta' of Imaam Muhammad ↦[1]. If you will rely on this narration alone then a narration whose meaning is corroborated is better than a tradition whose chain of narration is corroborated, which I will explain later

[1]Only the Hadeeth of Hadhrat Jaabir is found with a Marfoo'a chain in the 'Muwatta' of Imaam Muhammad but in 'Muslim', etc Marfoo'a narrations of Hadhrat Abu Moosa Ash'ari and Hadhrat Abu Hurairah can be found.

Insha-Allaah. Then too there is no discrepancy with the Mowqoof narration. Then when the narration of "Salaah is not valid without the recitation of Surah Faatihah" was well-known, it is impossible that Hadhrat Jaabir did not hear this Hadeeth from Rasulullaah and said it based upon his own Ijtihaad. *Such a Mowqoof narration has the same ruling as a Marfoo'a narration.*

Then too, if this was a matter of Ijtihaad then it was correct as when the Imaam has the quality of Salaah in himself then there is no need for the Muqtadie to recite behind him, and he saw the Verse, "When the Qur'aan is recited, then listen attentively to it (*stop talking)* and remain silent" prohibiting recitation behind the Imaam and the Verse, "Therefore, recite (only) that of the Qur'aan which is easy" supporting this not opposing it, he also saw the Hadeeth of Hadhrat Ubaadah being the previous order and after taking all this into considera tion, how can his Ijtihaad be incorrect? Yes! If there was such a narration opposing this which could not be refuted then it would have to be taken into consideration.

If we were to look carefully then the contradiction of the Hadeeth of Hadhrat Ubaadah and the Verse cannot be reconciled except by ruling that Surah Faatihah be recited between the pauses of the Imaam or a long pause be established after Surah Faatihah, which is obviously not narrated anywhere.

The principle of exonerating and defaming a narrator

If there are discrepancies regarding the Hadeeth of Hadhrat Jaabir then the Hadeeth of Hadhrat Ubaadah is also not free from any. Muhammad bin Ishaaq is in the chain of narration

regarding whom the Aimah of Jarah wa Ta'adeel (exonerating and defaming a narrator) have commented about. Even if some Aimah say that he is reliable, their word cannot be used as a deciding factor about his status. **The A'amaal of the narrator determines the exoneration and defamation of a narrator as no person can tell what is the true nature of a person.** The Aimah of Jarah wa Ta'adeel determine the status of a person by examining their A'amaal.

Differences arise in Jarah wa Ta'adeel because one scholar may see one action as a reason for defamation but according to another scholar it may be overlooked. For example, a Muhaddith hears of another Muhaddith in another town and decides to learn Hadeeth from him. When he arrives at his home, he sees him in the field with an empty basket, which he uses to trick horses into thinking that there is food in it so that he can capture them. As soon as the visiting Muhaddith sees this, he leaves saying, "A person who can fool horses in this way, what credibility can be placed upon his narrations?" in other words, this Muhaddith was strict and as a result of his severity or caution he took this act as a point to defame him and rule his narrations as unreliable. However, if a more lenient Muhaddith were to see this then he would not have defamed him as fooling animals in this manner so that one can capture them is not regarded as deception in society. So a lenient Muhaddith will rule his narrations to be reliable even after seeing this act.

Or differences can occur in Jarah wa Ta'adeel because of each of the Aimah witnessing different A'amaal. One Muhaddith will witness an unreliable narrator only doing good A'amaal and as a result will exonerate him whereas another Muhaddith will see a reliable narrator performing a bad action and as a result will defame him. In a similar manner, contemporary rivalry as well as differences of opinion between various Madhaahib plays a vital role in the aspect of Jarah wa

Ta'adeel. However, if the level at which they judge narrators are the same and they witness the same A'amaal then their verdicts will all be considered. Thereafter, if any person will report Hadeeth from that person, he will do so based upon the exoneration of these Muhadditheen. **The later scholars will then adhere to the opinion of that scholar from the Aimah of Jarah wa Ta'adeel with whom they have a closer affinity to and will give preference to their opinion over others.** However, since the adherence to a certain Muhaddith which one person practices is not Waajib for others to follow, what will be the deciding factor and which of the Aimah's opinion will be said to be the deciding opinion?

If there is any discrepancy with the chain of narration of the Marfoo'a narration then there are similar discrepancies with the Hadeeth of Hadhrat Ubaadah . If some Aimah exonerated Muhammad bin Ishaaq, how can their opinions be the deciding factor regarding him? The condition of a narrator is determined firstly by witnessing his A'amaal and if there is any difference of opinion in Jarah wa Ta'adeel then it is because they witnessed different A'amaal or a difference in outlook and perception. If their opinions are the same then, on condition that they witnessed the same A'amaal, their opinion will be equal in consideration. Now whoever will report Hadeeth from him will do so on their authority. Then from the later scholars, whomever they have a greater affinity to, they followed, and the adherence which one person adopts is not Waajib for others to follow such that his opinion will become the deciding factor.

Corroborated meaning can only be the deciding factor

It is only possible by corroborating the meaning that the

later scholars can come to a final decision; this is not possible by merely examining the condition of narrators. So if the later scholars discover the governing point on which all the laws are based because of which each law is proven entirely then this opinion will be regarded as the deciding factor. Just as in the previous pages, you have seen the manner in which we have discovered the governing point because of which all the laws are proven.

It is only possible by corroborating its meaning. In other words, if a person discovers the governing point on which the laws are based, just as we have done in the previous pages, and every law is then proven, then this will be the deciding factor.

The Hadeeth of Hadhrat Jaabir has Saheeh chains of narration as well

If any person were to say that aside from the chain of narration of Muhammad bin Ishaaq, the Hadeeth of Hadhrat Ubaadah ‥ also has other chains of narrations, then the Hadeeth of Hadhrat Jaabir ‥ also has the same. This Hadeeth has also been narrated by others either in the same words or having the same meaning with other chains of narration.

In 'Muwatta Imaam Muhammad' its chain of narration conforms to the standard of Imaam Bukhaari ↦ and Imaam Muslim ↦.The chain of narration is as follows:

اخبرنا ابوحنيفة قال حدثنا ابو الحسن موسى بن ابى عائشة عن عبدالله بن شداد بن الهاد عن جابربن عبدالله عن النبى صلى الله عليه و سلم انه قال من صلى خلف الامام فان قراءة الامام له قراءة

"Whoever performs Salaah behind the Imaam then verily the recitation of the Imaam is recitation for him." (page 94)

This Hadeeth conforms to the conditions of Imaam Bukhaari ↦ and Imaam Muslim ↦ which Allaamah Haazimi ↦ has stated in 'Shurootul Aimahtil Khams' means that its chain of narrations is unbroken, the narrators accepted and honest, they do not conceal narrators, there is no doubt with regards to his knowledge, his is known to be honest and just, has an excellent memory, has sound understanding, is not easily confused and has the correct Aqeedah[1]. The above chain of narrations meets all these requirements and is therefore Saheeh according to the conditions of Imaam Bukhaari ↦ and Imaam Muslim ↦.

If the Hadeeth of Hadhrat Ubaadah ‥ has been narrated with other chains of narration then the Hadeeth of Hadhrat Jaabir ‥ is the same. Refer to the 'Muwatta' of Imaam Muhammad ↦. It has some chains of narrations that are Saheeh according to the conditions of Imaam Bukhaari ↦ and Imaam Muslim ↦.

What Allaamah Daar Quthni ↦ has written while scrutinising the chain of narration of this Hadeeth that Imaam Abu Hanifah ↦ is Dhaeef, is an unjust statement and based entirely on prejudice because **if the Fuqahaa are considered unreliable then everyone else will become unreliable automatically.** In addition, what right does Daar Quthni ↦, whose status is well known amongst people, have to defame Imaam Abu Hanifah ↦?

It is entirely unjust and based on prejudice that the narrations of Imaam Muhammad ↦ and Imaam Abu Hanifah ↦ are not accepted. If the narrations of the Fuqahaa are considered unreliable then narrations of

[1]'Fathul Mugheeth' page 17

everyone else will be the same.

The reason for debating on narration

What can we do! There is no library in this barren land (Nanotah) **and even if there are some books in Deoband or Saharanpur, then it is far from here. Furthermore, at times, on account of spiritual maladies, it is worse to examine these books. If this were not the case then I too would have written something in this regard but this unworthy one will suffice with what little he knows. My friends, who look up to me because of respect, will regard this as well researched and others might think their view to be nothing more than infatuation, which is why I did not wish to write in the first place. However, with high hopes of the world I began writing thinking that you would find this to be to your liking. I have written much and I will add a little more.**

Objection

Listen! It might be that after reading the previous pages someone might think that since the Imaam possesses the quality of Salaah in himself (Mowsoof bith Dhaat), which is why the Salaah of the Imaam and Muqtadie is one, it is not necessary for the Muqtadie to observe the conditions of Salaah such as Tahaarat, concealing the private parts (Aurah), facing the Qiblah or performing Ruqu and Sajdah as this too should be the responsibility of the Imaam, and the Imaam should also perform Thanaa, Tasbeehaat, At-Tahiyyaat, Durood and supplicating, the Takbeer and Salaam in the manner that it is to be performed.

Answer: In Waasithah fil Uroodh, in order for an object to be ascribed with the quality that the intermediary (Mowsoof bith Dhaat) possesses in itself, it is necessary to be in the same

vicinity of the intermediary and not out of it. For example, in order for the passengers to be attributed with the qualities of movement it is necessary for them to be on the train or ship, being in the water or side of the tracks is insufficient. Another example: in order for an object to be lit by the rays of the sun it is necessary for it to be in the path of its rays and not under some shelter. Similarly, in order for the Muqtadie to be attributed with the quality of Salaah through the Imaam it is necessary for him to be to be in the vicinity of the Imaam and not out of it. Salaah means to present oneself before Allaah and every word and action of the Imaam denotes this, the personal pronoun in Thanaa (the letter '' which means ‘you’), the first person form of the request in Surah Faatihah (asking Allaah directly to guide us to the straight path), standing at attention, sometimes bowing, sometimes prostrating, and making Salaam at the end of Salaah are all signs that one has presented oneself to Allaah. So what should the Muqtadie say and what should he do, even if he were to present himself to Allaah separately from the Imaam, it will be insufficient. In fact, it is necessary for him to be in synchronisation with the Salaah of the Imaam, in other words, be with him in Salaah, and this is why it is necessary for the Muqtadie to make the intention that he is following the Imaam. Now since it is necessary for the Muqtadie also to present himself before Allaah Ta'ala so in the same manner that one will present himself before a king in this world; purifying himself, wearing decent clothes, arriving at the appointed time, and observing the proper etiquettes before the king, so too will those etiquettes be necessary when presenting himself before Allaah Ta'ala.

In summary, those aspects that the critic raised in his objection are not necessary because of them being the conditions of Salaah, (but instead necessary because of presenting oneself before Allaah) as then the Hadeeth, "Salaah is not valid without the recitation of Surah Faatihah" would necessitate that Surah Faatihah be recited throughout the

Salaah. This proves that these aspects are actually necessary because they are a condition for presenting oneself before Allaah. It has already been explained that these two aspects (conditions of Salaah and presenting oneself before Allaah) are different from each other even though they are both required in Salaah. In fact, if a person were to assume that the reality of Salaah is only Qiraa'ah, and Ruqu and Sajdah are merely associated to it, then Tahaarat, etc. will not be required by the reality of Salaah but only required by that associated to it, and then it would mean that they are not required by both.

In essence, these two aspects are different from each other and the laws pertaining to each are different as well. Since the Imaam and Muqtadie present themselves together, the requirements for presenting oneself before Allaah Ta'ala will be required by both, but because the Imaam is the only one performing the Salaah, the responsibility of Salaah will be his only and the intention to follow the Imaam the Muqtadies only because having the intention to be associated with the one having the quality in himself is necessary to be attributed with the same quality because the one having the quality in himself is independent of the one who gains the quality from him in Waasithah fil Uroodh, like the engine in a train which is independent from the other carts, so therefore the Imaam does not require the intention to be associated with them. This answers the objection raised by Imaam Bukhaari ↦[1] that Thanaa, Tasbeehaat, etc, which are not essential in Salaah should remain the responsibility of the Muqtadie but Surah Faatihah, which is essential in Salaah, should not.

In this reply a few additional aspects have been discussed,

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[1]Imaam Bukhaari ↦ raised this objection against Imaam Abu Hanifah ↦in his treatise 'Juz'ul Qiraa'ah'. This treatise has been excellently summarised by Allaamah Zaila'ie in 'Nasbur Raayah' (volume 2 page 19-20).

which we will point out here:

The wisdom of Salaam

After completion of Salaah, making Salaam to the right and left is a indication that during Salaah **I presented myself to Allaah Ta'ala and became oblivious to all around me and now I have returned and in accordance with common practice I greet everyone as it is Sunnat to greet even after a short absence,**

اذا لقى احدكم اخاه فليسلم عليه فان حالت بينهما شجرة او جدار او حجر ثم لقيه فليسلم عليه

"If anyone of you meets his brother then he should greet him even if they are separated by a tree, wall or boulder and then meet again, they should greet each other once again."[1]

When Salaam is Sunnat after such a short absence then why should Salaam not be Sunnat after a major absence? Major absence refers to one's absence from this world and presenting oneself before Allaah Ta'ala.

The intention to follow the Imaam is necessary

In order for a person to become a Muqtadie and perform Salaah, there are a few conditions, of which is the intention to follow the Imaam and without this intention one cannot become the Muqtadie of the Imaam.

ربط صلوة المؤتم بالامام بشروط عشرة: نية المؤتم الاقتداء

"The Muqtadie is connected to the Salaah of the Imaam when ten conditions are met: the intention of the Muqtadie to follow the Imaam." ('Shaamie' volume 1 page 513)

[1] 'Abu Dawood' volume 2 page 352

Hadhrat Moulana ↦ explained the reasoning behind this to be like the cart that cannot move unless it is connected to the engine.

The Imaam does not need to have the intention of Imaamat to be the Imaam

In order to be the Imaam it is not necessary to have the intention of Imaamat. Thus, if any person is reading Salaah alone and another person comes and begins following him in Salaah then the Salaah of the Muqtadie will be correct. However, the Imaam will only gain the reward of Imaamat when he makes the intention of Imaamat. This ruling is clearly explained in the books of Fiqh[1].

Here another matter of difference is resolved. The question is "Is it necessary for the Imaam to make the intention of Imaamat for women?" In other words, if a woman begins following the Imaam in Salaah is it necessary for the Imaam to make the intention of Imaamat for her in order for her Salaah to be valid? In Salaatul Janaazah it is agreed that it is not necessary and in Salaatul Jumu'ah and Eid Salaah the preferred opinion is that it is not necessary. When a woman reads next to a man then all agree that it is necessary (for the Salaah of the man to be invalid. The necessity for intention when a woman reads next to a man is because of another reason, which cannot be discussed here.) And in the remaining Salaah there is a difference of opinion[2]. From this discussion, Hadhrat Moulana Qaasim Nanotwi ↦ arrives at the conclusion that it is not necessary in other Salaah as well and just as it is not necessary for the Imaam to make the intention of Imaamat for the Salaah of the men, so too it is not necessary for the Salaah of the women. **So even if the Imaam did not make the intention of**

[1] 'Shaamie' volume 1 page 394, 'Kabeeri' volume 1 page 48
[2] Refer to 'Shaamie' volume 1 page 395

Imaamat for women, their Salaah will still be valid.

This is why I wish to say that in order to be attributed with a quality it is necessary to be in the vicinity of the one having the quality in himself and not away from him. Being in the water is not sufficient to benefit from the quality of movement of the ship but it is necessary to be on the ship. In order to benefit from the sun's rays being under a shelter will not suffice but one has to be in its path. Similarly, in order to benefit from the Salaah of the Imaam one cannot be anywhere – one has to be in the same vicinity as the Imaam. However, every action and saying of the Muqtadieindicates that he is not there and has not presented himself before Allaah Ta'ala. The personal pronoun in Thanaa (the letter '' which means 'you')**, the first person form of the request in Surah Faatihah** (asking Allaah directly to guide us to the straight path)**, standing at attention, sometimes bowing, sometimes prostrating, and making Salaam at the end of Salaah are all signs that he has presented himself to Allaah. This is why Salaam has been kept at the end of Salaah because when Salaam is Sunnat after a small absence then why should it not be Sunnat after a major absence? What greater absence can there be than a person leaving this world and presenting himself before Allaah Ta'ala?**

In essence, the Imaam presents himself before Allaah Ta'ala in Salaah and in this condition doing as one pleases, being anywhere that even presenting oneself before Allaah alone will be insufficient. The court of Allaah is vast and the river endless, so, when being out of the vicinity of the boat is insufficient, then how can being anywhere in the court be sufficient? This is the very reason that the intention to follow the Imaam has been made essential, i.e. in order for the Muqtadie to be

attributed with the quality of Salaah from the Imaam, intention to follow him is essential.

In this instance it will be necessary for the Muqtadie to also present himself before Allaah Ta'ala and,like when visiting the court of the king in this world it is necessary for the visitor to be clean, his clothes decent, and the etiquettes of the court followed, why should this not be the same when visiting the court of Allaah Ta'ala that a person be pure, his clothes appropriate, and the necessary etiquettes displayed when required?

In essence, these aspects are not compulsory on the Muqtadie because of them being the conditions of Salaah because then the Hadeeth would necessitate that Surah Faatihah be recited from beginning to end, but rather it is because he is presenting himself before Allaah. I have said earlier that these are two different aspects even though both are required and if one were to assume that the reality of Salaah is only Qiraa'ah and the other aspects conditions for Salaah then they will all not be required in Salaah.

In summary, they are both different from each other and the effects and laws pertaining to each are different. Since both the Imaam and Muqtadie are the same in presenting themselves before Allaah Ta'ala the requirements will be the same for both of them but since it is only the Imaam who is performing Salaah then Qiraa'ah, which is its requirement, will be recited by the Imaam only. The intention to follow the Imaam, which is necessary to be attributed with the quality of Salaah from the Imaam and to benefit from him, will be incumbent upon the Muqtadie only and since the one possessing the quality of Salaah is independent of the one benefitting from him it

will not be necessary for him to have the intention of Imaamat.

This will also answer the question that the Muqtadie recites Thanaa, Tasbeehaat, etc., which are not essential, whereas he does not recite Qiraa'ah which is essential because of the Verse, especially Surah Faatihah which is proven to be essential by Hadeeth.

General reply to the objection

In general, given this explanation that everyone observes the etiquettes of the court but only one person puts the request forward and hears the reply and it is the one most worthy who is given this responsibility. What is so difficult to understand about Thanaa, Tasbeehaat, At-Tahiyyaat, and Takbeer being done by all but recitation, which is the actual purpose, and the reading out of the reply, will remain the responsibility of the Imaam only? In this instance as well it becomes clear why the Imaam needs to be most superior and virtuous.

The ruling of Allaah and His Rasul

The order of Allaah Ta'ala in times of dispute is:

يٰٓاَ يُّهَا الَّذِينَ اٰمَنُوٓا أَطِيْعُوا اللّٰهَ وَأَطِيْعُوا الرَّسُولَ وَأُولِى الأمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِى شَىْءٍ فَرُدُّوهُ إِلَى اللّٰهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللّٰهِ وَالْيَوْمِ الاٰخِرِ ذٰلِكَ خَيْرٌ وَّأَحْسَنُ تَأْوِيلاً۔

"O you who have Imaan! Obey Allaah, obey the Rasul and those in command among you *(your leaders and authorities in all fields, such as the Imaams of Jurisprudence in Fiqh)*. If you dispute regarding any matter, then refer it to Allaah *(find the solution in the Qur'aan)* and the Rasul *(or find the solution in the Sunnat)* if you believe in Allaah and the Last Day. This is best *(for all)* and gives the best result

(because you will then not be basing your decisions on your personal opinions)." (Surah Nisaa: 59)

This Verse means that one's differences should be gauged by the stipulated principles of Shari'ah. When we did this we found that not reading Surah Faatihah to be most appropriate, which means that Allaah and His Rasul have also ruled in our favour.

If those who claim that recitation of Surah Faatihah is Waajib were to say that the narrations proving the recitation of Surah Faatihah are weightier, therefore Allaah and His Rasul have actually ruled in their favour, then we would say that this claim is incorrect and will not be accepted by any unbiased person. Since we also have a narration opposing yours, which is also strong,and practicing on what you deem stronger will be called "Practicing on caution". **But practicing on caution is necessary as long as their remains doubt but once the matter becomes clear then it is necessary to act upon the ruling of Allaah and His Rasul.**

Now when we see that your "stronger" narration contradicts the Verse of the Qur'aan, "When the Qur'aan is recited, then listen attentively to it *(stop talking)* and remain silent", then strength of narration also belongs to us as **our proof is from the Qur'aan, which is Mutawaatir, and yours is from Hadeeth, which is Khabar Wahid.**

Note: From the replies given, it becomes apparent from the second reply that the strength a narration receives from its meaning being corroborated is greater than its chain of narration being corroborated. This is also the reason why the narration of a Faqeeh is weightier as many narrations are reported by meaning and to do so one has to have a correct understanding (which is obviously more so in the case of a Faqeeh).

After all that I have said, I wish to add that in accordance with the Verse, "If you dispute regarding any matter, then refer it to Allaah and the Rasul if you believe in Allaah and the Last Day", abandoning recitation behind the Imaam is better than the Muqtadie reciting. The detail of this is that the amount of evidence we find for abandoning recitation is not found for reciting behind the Imaam. However, if those who claim that recitation is Waajib were to say that the narration of reciting Surah Faatihah is stronger than the narration not to recite it. Then, firstly, this claim is incorrect and no unbiased person will accept it. Secondly, If we were to accept your claimas called "Practicing on caution" it will not be regarded as practicing on the ruling of Allaah and His Rasul. It is obvious that practicing on caution is only necessary until the reality becomes known and once it becomes apparent then "caution" will no longer be practised upon.

This can also be understood in the following manner: that a narration whose meaning is corroborated is better than a narration whose chain of narration has been corroborated. This is why the narrations of the Fuqahaa are weightier and why not? Most of the time narrations are reported by meaning and to do so deep understanding is required. In essence, since the meaning has been corroborated, recitation of the Muqtadie being abrogated is more visible. Then too, when clashing with the Verse, "When the Qur'aan is recited, then listen attentively to it *(stop talking)* and remain silent", strength of chain of narration belongs to those who regard the recitation of Surah Faatihah by the Muqtadie as discarded.

Objection to their audacity

To accuse Imaam Abu Hanifah ↦ in this regard and rule

that the Salaah of those who do not recite Surah Faatihah is invalid is inappropriate. There is no obstacle before the pen, no wall, no mountain. Look at us! Despite the following explanation and interpretations, those who recite Surah Faatihah do not stop but continue to hold their view as correct. Imaam Abu Hanifah ↦, despite his immense status, is not free from error and it is will not be surprising to discover that Imaam Shaafie ↦ was actually correct and we could not understand up until now on account of our weakness. Therefore one should not be extreme in these matters. When we hear Imaam Abu Hanifah ↦ being cursed then our hearts burn and we also think of acting in the same manner and curse them as well but then the verses come to mind:

وَعِبَادُ الرَّحْمَنِ الَّذِينَ يَمْشُونَ عَلَى الأَرْضِ هَوْنًا وَّإِذَا خَاطَبَهُمُ الْجٰهِلُونَ
قَالُوا سَلٰمًا ـ

"Ar-Rahmaan's bondsmen are those who walk on earth in humility (without pride) and, when the ignorant talk to them, they (excuse themselves) saying, "Salaam" (Leave us in peace). (By doing this, they avoid useless talk and senseless arguments.)"(Surah Furqaan: 63)

وَالَّذِينَ لا يَشْهَدُوْنَ الزُّورَ وَإِذَا مَرُّوْا بِاللَّغْوِ مَرُّوْا كِرَامًا ـ

"And (Ar-Rahmaan's bondsmen are) Those who do not engage in acts of deceit (do not take false oaths and give false evidence) and, when they pass by frivolous (useless) acts, they pass by gracefully (without participating and without unnecessarily arguing with the participants)."
(Surah Furqaan: 72)

And the Ahaadeeth forbidding arguments[1] prevent me from saying anything.

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[1]This refers to the Verse of the Qur'aan,

و اخر دعوانا ان الحمد لله رب العلمي

وَأَطِيْعُوا اللَّهَ وَرَسُولَهُ وَلا تَنَازَعُوا فَتَفْشَلُوا وَتَذْهَبَ رِيْحُكُمْ وَاصْبِرُوا إِنَّ اللَّهَ مَعَ الصّٰبِرِينَ۔

"Obey *(the commands of)* Allaah and His Rasul and do not fall into dispute *(quarrels)* with each other, for then you will become cowardly *(weak)* and your strength will be lost. Exercise Sabr, for verily Allaah is with those who exercise Sabr."

As well as the Ahaadeeth which stress upon unity and admonish against disunity.